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URBAN
MUNICIPAL

AGENDAS
HAMILTON CITY COUNCIL
JAN. 18, 2000 ...



URBAN
MUNICIPAL



AGENDA

CITY OF HAMILTON CITY COUNCIL

Tuesday, January 18, 2000
(immediately following the
Regional Council Meeting)
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

URBAN MUNICIPAL

JAN 18 2000

GOVERNMENT DOCUMENTS

J. J. Schatz
Municipal Clerk

-
1. Call to Order
 2. Motion to Move into Committee of the Whole
 3. Consideration of Transport and Environment Committee Report 01-00
 4. Motion to Adopt the Report of the Committee of the Whole on the Report of the Transport and Environment Committee
 5. Adjournment



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

REPORT 01-00 TO CITY COUNCIL

Thursday, January 6, 2000
10:00 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman D. Wilson (Vice-Chairperson)
Aldermen T. Anderson, A. Horwath, T. Jackson, M. Kiss,
B. Morelli

Also Present: Alderman G. Copps

Regrets: Alderman C. Collins – City Business
Alderman F. D'Amico – City Business
Mayor R. M. Morrow – City Business

Alderman D. Wilson, Vice Chairperson, called the meeting to order.

**YOUR COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY
RECOMMENDS:**

**1. Ontario Municipal Board Hearing – 75 Centennial Parkway North
(Eastgate Square) (Item 2.1)**

- (a) That the proposed alteration of Delawana Drive, from approximately 70 metres west of Centennial Parkway to approximately 30 metres west of Fairington Crescent, be approved; and,
- (b) That the proposed alteration of Centennial Parkway, from approximately 50 metres south of Delawana Drive to approximately 40 metres north of Vineyard Road, be approved; and,
- (c) That the Road Alteration By-law to alter Delawana Drive and Centennial Parkway be passed and enacted; and,

- (d) That the removal of the 12 existing street trees and their replacement with 24 large calliper trees, required to permit the relocation of the driveway accesses to Centennial Parkway and Delawana Drive, be approved;
- (e) That prior to the beginning of roadway construction, the Cadillac Fairview Corporation Ltd. Be required to pay to the City of Hamilton \$11,449, which is the estimated cost for removal and replacement of the street trees;
- (f) That the owner be required to install and maintain a truck barrier over the mall entrance near the former Eaton's store to stop delivery trucks from utilizing this access;
- (g) That Cadillac Fairview Corporation Ltd. and the Community Planning and Development Division be advised of these actions.

Noted for the information of the Committee respecting Item 1:

The Committee moved In Camera to receive legal advice. Subsequently, the Committee reconvened in Open Session and approved the aforementioned recommendation.

2. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-01 A By-law to alter Centennial Parkway North, between Delawana Drive and Vineyard Road, and to alter Delawana Drive from west of Fairington Crescent to the east of Centennial Parkway North
- (b) A-02 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton

Note: The meeting of the Transport and Environment Committee adjourned at 10:15 a.m.

Respectfully submitted,

**Alderman D. Wilson, Vice-Chairperson
Transport and Environment Committee**

Carolyn Biggs
Legislative Assistant
January 6, 2000

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO ALTER CENTENNIAL PARKWAY NORTH BETWEEN DELAWANA DRIVE AND VINEYARD ROAD BY CHANGING THE RAISED CONCRETE MEDIAN ISLAND AND TO ALTER DELAWANA DRIVE FROM WEST OF FAIRINGTON CRESCENT TO EAST OF CENTENNIAL PARKWAY NORTH BY WIDENING THE PAVEMENT ON THE SOUTH SIDE AND BY INSTALLING A RAISED CONCRETE MEDIAN ISLAND

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close or sell any highway or part of a highway;

AND WHEREAS the portion of highways known as Centennial Parkway North and Delawana Drive are local roads under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 33 of the 3rd Report of the Transport and Environment Committee on March 9, 1999, authorized that steps be taken in accordance with the Municipal Act to advertise Notice of the City's intention to alter Centennial Parkway North and Delawana Drive as hereinafter described;

AND WHEREAS Notice of the City's intention to pass this By-law to authorize the said alteration has been published as required by Section 300 of the Municipal Act for four (4) consecutive weeks in The Spectator, a newspaper having general circulation of the City of Hamilton:

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the alterations be approved and carried out to Delawana Drive from approximately 70 metres west of Centennial Parkway North to approximately 30 metres west of Fairington Crescent, for the purpose of widening the south side of the pavement, extending the centre left turn lane and constructing a raised concrete median island, as illustrated in Schedule "A" (1) attached hereto.
2. That the alterations be approved and carried out to Centennial Parkway from approximately 50 metres south of Delawana Drive to approximately 40 metres north of Vineyard Road, for the purpose of changing and reconstructing the raised concrete median island and to alter the existing driveways on the east side of Centennial Parkway North, as illustrated in Schedule "A" (2) attached hereto.
3. That the Mayor and Municipal Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all agreements and documents necessary for the construction of the said works.

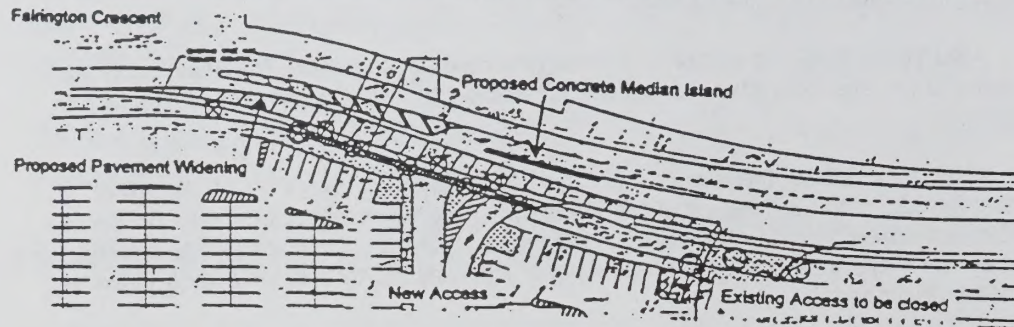
PASSED this 18th day of January, A.D. 2000.

MUNICIPAL CLERK

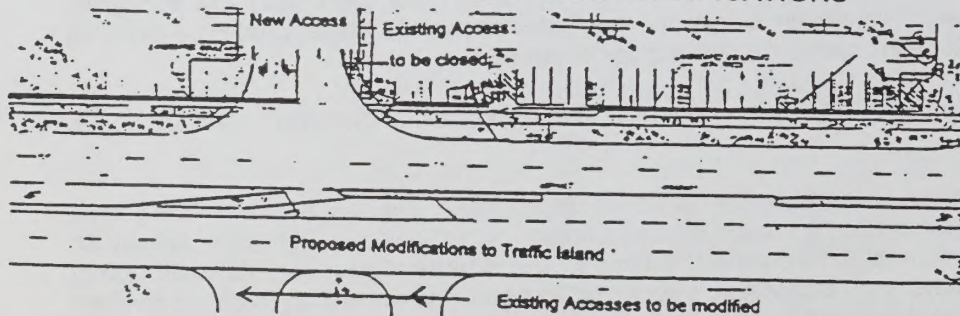
MAYOR

SCHEDULE "A" TO BY-LAW NO. 00-
CORPORATION OF THE CITY OF HAMILTON

- (1) **DELAWANA DRIVE- PROPOSED ROAD WIDENING, EAST ACCESS RELOCATION, MEDIAN ISLAND CONSTRUCTION ADJACENT TO EASTGATE SQUARE**



- (2) **CENTENNIAL PARKWAY- PROPOSED NORTH ACCESS TO EASTGATE SQUARE AND TRAFFIC ISLAND AND ACCESS MODIFICATIONS**



BY-LAW NO. 00 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 18TH DAY OF JANUARY, 2000.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 18TH day of JANUARY A.D. 2000

MUNICIPAL CLERK

MAYOR

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF THE HISTORY OF ARTS

TO THE FACULTY OF THE DIVISION OF THE PHYSICAL SCIENCES

AND TO THE FACULTY OF THE DIVISION OF THE SOCIAL SCIENCES

AND TO THE FACULTY OF THE DIVISION OF THE BIOLOGICAL SCIENCES

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URBAN
MUNICIPAL

AGENDA

CITY OF HAMILTON CITY COUNCIL

Tuesday, January 25, 2000
7:30 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

FEB 07 2000

GOVERNMENT DOCUMENTS

J. J. Schatz
Municipal Clerk

CALL TO ORDER

1. NATIONAL ANTHEM
2. OPENING PRAYER: Father Metias, Saint Mina Coptic Orthodox Church
3. PRESENTATIONS:

Alberta Adams in honour of IODE Women Working Together for Canada 100th Anniversary

Certificates of Recognition

Elisabeth Wall

Suzanne Wall

URBAN MUNICIPAL

FEB 07 2000

GOVERNMENT DOCUMENTS

* Meet as Nominating Committee

4. ADOPTION OF MINUTES FROM SPECIAL MEETINGS OF CITY COUNCIL
 - 4.1 December 21, 1999
 - 4.2 January 18, 2000
5. CORRESPONDENCE

MINUTES

December 21, 1999

Minutes of Special Meeting of
Hamilton City Council
Tuesday, December 21, 1999
10:15 o'clock p.m.
Council Chamber, City Hall

The Council met:

There were present: Mayor R. Morrow, Chairman;
Aldermen M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson,
F. Eisenberger, C. Collins, B. Charters, T. Jackson,
B. Kelly, F. D'Amico, O'Sullivan.

Absent: Aldermen M. Kiss - Family Illness
Alderman G. Copps - City Business
Alderman T. Anderson - City Business

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman D'Amico and seconded by Alderman Collins that the Report of the Committee of the Whole be now considered in the Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli,
Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly,
D'Amico, O'Sullivan. -14.

NAYS: -0.

CARRIED.

* * * * *

COMMITTEE OF THE WHOLE – EIGHTH REPORT

It was moved by Alderman D'Amico and seconded by Alderman Collins that the Report of the Committee of the Whole be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: -0.

CARRIED.

City Council then adjourned at 10:20 o'clock p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz,
Municipal Clerk
December 21, 1999**

REPORT OF THE CITY COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City Committee of the Whole presents its **EIGHTH** Report for 1999 and respectfully recommends:

1. Hiring Protocol (CM99022)

That the hiring protocol attached hereto as appendix "A", be adopted.

2. Memorandum of Agreement – Local 772: I.U.O.E. (C-022-99/HUR99020)

That the Memorandum of Agreement between the City and The Civic Employees of the International Union of Operating Engineers, Local 772 dated December 3, 1999 covering the period August 1, 1999 to September 30, 2001 be approved and implemented in accordance with the terms therein as attached hereto as Appendix "B".

3. Bill

That the following bill be adopted, signed, sealed and enrolled as a By-law.

F-12 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton

RESPECTFULLY SUBMITTED,

**MAYOR R. MORROW
CHAIRMAN
CITY COMMITTEE OF THE WHOLE**

J. J. Schatz
Municipal Clerk
December 21, 1999



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, January 18, 2000
8:55 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Wilson, G. Copps, C. Collins,
F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Regrets: Alderman D. Haining – City Business

Mayor R. M. Morrow called the meeting to order.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman D'Amico that the Report of the Transport and Environment Committee be now considered in the Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 01-00

Section 1 Re: Ontario Municipal Board Hearing – 75 Centennial Parkway North (Eastgate Square)

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan - 13.

NAYS: Aldermen Copps, Collins, Eisenberger. -3 **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman D'Amico that the Report of the Committee of the Whole on the Report of the Transport and Environment Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan -16.

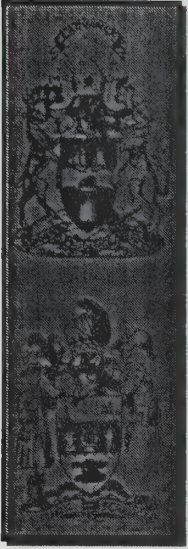
NAYS: -0. **CARRIED.**

Hamilton City Council then adjourned at 9:00 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz,
Municipal Clerk
January 18, 2000**



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

REPORT 01-00 TO CITY COUNCIL

Thursday, January 6, 2000

10:00 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman D. Wilson (Vice-Chairperson)
Aldermen T. Anderson, A. Horwath, T. Jackson, M. Kiss,
B. Morelli

Also Present: Alderman G. Copps

Regrets: Alderman C. Collins – City Business
Alderman F. D'Amico – City Business
Mayor R. M. Morrow – City Business

Alderman D. Wilson, Vice Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. **Ontario Municipal Board Hearing – 75 Centennial Parkway North
(Eastgate Square) (Item 2.1)**
 - (a) That the proposed alteration of Delawana Drive, from approximately 70 metres west of Centennial Parkway to approximately 30 metres west of Fairington Crescent, be approved; and,
 - (b) That the proposed alteration of Centennial Parkway, from approximately 50 metres south of Delawana Drive to approximately 40 metres north of Vineyard Road, be approved; and,

- (c) That the Road Alteration By-law to alter Delawana Drive and Centennial Parkway be passed and enacted; and,
- (d) That the removal of the 12 existing street trees and their replacement with 24 large calliper trees, required to permit the relocation of the driveway accesses to Centennial Parkway and Delawana Drive, be approved;
- (e) That prior to the beginning of roadway construction, the Cadillac Fairview Corporation Ltd. Be required to pay to the City of Hamilton \$11,449, which is the estimated cost for removal and replacement of the street trees;
- (f) That the owner be required to install and maintain a truck barrier over the mall entrance near the former Eaton's store to stop delivery trucks from utilizing this access;
- (g) That Cadillac Fairview Corporation Ltd. and the Community Planning and Development Division be advised of these actions.

Noted for the information of the Committee respecting Item 1:

The Committee moved In Camera to receive legal advice. Subsequently, the Committee reconvened in Open Session and approved the aforementioned recommendation.

Council Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan - 13.

NAYS: Aldermen Copps, Collins, Eisenberger. -3

CARRIED.

2. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-01 A By-law to alter Centennial Parkway North, between Delawana Drive and Vineyard Road, and to alter Delawana Drive from west of Fairington Crescent to the east of Centennial Parkway North

- (b) A-02 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton

Note:	The meeting of the Transport and Environment Committee adjourned at 10:15 a.m.
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Respectfully submitted,

**Alderman D. Wilson, Vice-Chairperson
Transport and Environment Committee**

Carolyn Biggs
Legislative Assistant
January 6, 2000

CORRESPONDENCE

Correspondence:

1. Application dated January 12, 2000 from the City of Hamilton for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District for 1389 Upper James Street, Hamilton, Ontario.

Recommendation: Be Received.

2. Application dated January 11, 2000 from Angie Nesci, 683595 Ontario Inc., for a change in zoning from "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, modified to "R-4" (Small Lot Single Family Detached) District for Block "1" and from "L-c" (Planned Development- Commercial) District, modified to "R-4" (Small Lot Single Family Detached) District for Block "2" and from "L-c" (Planned Development Commercial) District, modified to "C" (Urban Protected Residential, etc.) District for Block "3" and from "D" (Urban Protected Residential – One and Two Family, Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District for Block "4" and from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "C" (Urban Protected Residential, etc.) District for 1512 Upper Gage Avenue

Recommendation: Be Received.

TRANSPORT AND ENVIRONMENT COMMITTEE



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

REPORT 02-00 TO CITY COUNCIL

Monday, January 17, 2000
9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Mayor R. Morrow, Aldermen T. Anderson, F. D'Amico, A. Horwath, T. Jackson, M. Kiss, B. Morelli

Also Present: Alderman M. Caplan, B. Charters

Alderman C. Collins, Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 02-00 AND RESPECTFULLY RECOMMENDS:

1. **Proposed Expansion of Canadian Pacific Railway Operations – Longwood Road South and Aberdeen Avenue, Hamilton (Item 3.1)**
 - a) That the Council of the City of Hamilton request the Provincial and Federal Ministries of the Environment to conduct full Environmental Assessments and also government enquiries under all Provincial and Federal Legislation with respect to the proposed expansion of the Canadian Pacific Railway (St. Lawrence Hudson Railway) operations in the area of Highway 403, Longwood Road South and Aberdeen Avenue in order to ensure safety from potential negative impacts of any kind to persons or properties or any adverse environmental impacts on any kind that this operation may have on communities and neighbourhoods in the City of Hamilton; and,

- b) That the Council of the City of Hamilton request that the Province of Ontario and the Government of Canada advise of any and all policies, statutes, guidelines and regulations which would come to bear on the use of railway lands within municipalities; and,
- c) That the City of Hamilton indicate to the Government of Canada that the Province of Ontario and the operators and owners of Railways of their strong desire to work with the owners of these lands to find and agree to practices consistent with requirements that would normally apply in a municipality; and,
- d) That the Federation of Canadian Municipalities be requested to facilitate a process to find practices in which railway lands are dealt with in a manner consistent with the requirements that would normally apply in a municipality; and,
- e) That staff be requested to provide information to be presented to the next meeting of the Big City Mayors Conference in Montreal; and,
- f) That this recommendation be forwarded to the area M.P.'s and M.P.P.'s.

Noted for the information of the Committee respecting Item 1:

At the request of the Committee Chairman, the following residents addressed the Committee to express their opposition to proposed expansion:

Dale Brown, 39 Flatt Avenue
Peggy Kizilirmakli, 284 Homewood Avenue
Dianne Arrell, 150 Chedoke Avenue
George Sorger, 63 Chedoke Avenue
May Toth, 9 Richmond Street
Rob Monkelmaan, 555 Aberdeen Avenue
Nikola Patti, 271 Homewood Avenue
George Truman, 170 Chedoke Avenue.

The following is a summary of the comments and concerns made during the presentations:

- Despite not having gone through an environmental assessment. CP has gone ahead with its expansion plans at the Aberdeen yard, without first obtaining public input from the residents in the area most affected. Residents were disappointed with the process.

- Concerns of excessive noise and increased air pollution from transport trucks and idling trains, diesel fumes, safety of pedestrian and vehicular traffic, environmental concerns i.e., effects of pollution on plant/tree life.
- Property devaluation to existing homeowners, as well as purchasers of the new homes located across from the golf course, who were not advised of the planned CP expansion prior to their purchase.
- Questioned if alternate sites were considered.

Aldermen M. Kiss and M. Caplan also spoke on behalf of the residents.

2. Belmont Avenue and Cannon Street East – School Crossing Guard (PWT00006) (Item 6)

That a School Crossing Guard be assigned to the intersection of Belmont Avenue and Cannon Street East.

3. Routine Amendments to the City Traffic By-law 89-72 – Transport and Environment Committee Meeting – January 17, 2000 (PWT00011) (Item 7.1)

That the requests for routine amendments as listed in Appendix "A" attached hereto, be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

4. Contractual Parking Enforcement Services for 2000 (PWT00003) (Item 7.2)

That a purchase order be issued to Canadian Corps of Commissioners (Hamilton) for parking enforcement services for 2000, in accordance with the conditions of the attached vendor's quote as follows:

Master Warrant Officer	-	\$12.97/hr
Commissionaire	-	\$11.61/hr

5. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-03 A By-law to amend Traffic By-law 89-72 to Regulate Traffic.

- (b) A-04 A By-law to amend Traffic By-law 89-72 to Regulate Traffic.

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest** (Item 1)

None declared.

(b) **Adoption of Minutes** (Items 2.1 and 2.2)

That the Minutes of the meeting of the Transport and Environment Committee held on December 6 and December 14, 1999, be adopted.

(c) **Mrs. J. Galasso re: Parking on the north side of Barton Street West, between Magill Street and Greig Street** (Items 3.2(a) and(b))

Mrs. J. Galasso expressed concerns with respect to vehicles being permitted to park on the north side of Barton Street, between Magill Street and Greig Street.

That this issue be tabled to the next meeting of the Committee in order for the Ward Aldermen to meet with Mrs. Galasso.

(d) **Referral of Projects** (Item 4.1)

That staff be instructed to bring a report back to the Committee detailing costs for streetscaping and burying utility services in the following areas:

- (i) Locke Street, from Main to Aberdeen;
- (ii) Concession Street, within the boundaries of the B.I.A.;
- (iii) Sherman Avenue, from Cannon Street to the railway tracks;
- (iv) Barton Street East, from Birch Street to Leinster Avenue;
- (v) Kenilworth Avenue, Main Street to Barton Street.

Noted for the information of the Committee respecting Item (d):

It was suggested that staff meet with representatives of the various B.I.A.'s for their input in terms of timing restrictions for any improvements that might be anticipated.

(e) **Churchill Avenue and Upper James Street – School Crossing Guard (PWT00007) (Agenda Item 5)**

That this item be tabled.

Noted for the information of the Committee respecting Item (e):

At the request of Alderman D'Amico, the Committee agreed to table this item.

(f) **Information Items (Item 7.3)**

That the following items previously distributed under separate cover, be received:

- (i) Correspondence dated January 5, 2000 from Alderman M. Kiss to residents of Ward 1 respecting Canadian Pacific Expansion – Longwood/Aberdeen/403
- (ii) Correspondence dated January 9, 2000 from Mr. R. Johnson, on behalf of Train-Residents' Action Committee (TRAC), respecting proposed changes to railway operations in the Aberdeen Yards
- (iii) Interlocking Brick Sidewalks Adjacent to Copps Coliseum (PWT00012)

Noted for the information of the Committee respecting Item (f)(iii):

Staff was directed to bring a report back to the Committee with a plan which would implement some of the changes and improvements as outlined in the report.

Note: The meeting of the Transport and Environment Committee adjourned at 11:20 a.m.

Respectfully submitted,

**Alderman C. Collins, Chairman
Transport and Environment Committee**

Carolyn Biggs
Legislative Assistant
January 17, 2000

**Appendix "A" as referred to in
Section 3 of Report 02-00 of
the Transport and Environment
Committee**

Ward 1

- (a) Mr. Steve Dembe, on behalf of the Anshe Shalome Temple, has requested that a "Three Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Cline, west of King, directly in front of the Temple. Presently, there is a 26 foot "No Parking Anytime" regulation in the same vicinity on Cline to facilitate the pick-up and drop-off of passengers at the entrance to the Temple. Consequently, the requested time limit will extend approximately 40 feet to the east and 55 feet to the west of the "drop-off" zone.
- (b) Mr. P Hoey, No. 89 Oxford Street, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Oxford abutting his home since he is disabled.

Ward 2

- (a) Ms. Yvonne Fortman has requested the removal of the existing reserved "Permit Parking" regulation from the west side of the street at No. 485 Catharine Street North, as she no longer resides at that address.
- (b) Mr. J. Giornofelice, 232 Catharine Street North, has requested that the existing "No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the east side of Catharine, in front of his home, be removed. Staff has confirmed that The Joyce & Smith Co., for whom the regulation was implemented, is no longer doing business at 245 Catharine Street North, and therefore concurs with the request.
- (c) Mrs. Peirsma, 78 Walnut Street South, has requested that a reserved "Permit Parking" regulation be implemented on the west side of Walnut, directly in front of her home, since she is disabled.
- (d) Mr. John Ryan, 9 Hess Street North, has requested that a reserved "Permit Parking" regulation be implemented on the west side of Hess, directly in front of his home, since he is disabled.
- (e) Ms. Kelly Lawson, 48 Aberdeen Avenue, has requested the implementation of a full-time "No Parking" driveway clearance at the on the west side of Chilton, opposite the rear of her property, as vehicles parked in this area obstruct access to her driveway.

- (f) Mayor Robert Morrow has advised of a request from area businesses that the existing parking meters on the south side of Rebecca, east of James be changed from one hour to two hours in duration. Four of the seven businesses abutting the block are in favour of changing the duration. Staff was unable to contact the remaining three businesses for comments.

Ward 3

- (a) Alderman Bernie Morelli has forwarded a petition signed by representatives of 70 of the 90 homes abutting Gibson between Barton and Cannon requesting that the existing full-time "Two Hour Parking Time Limit" regulation be removed from both sides of the street in this block. All 70 of the residents that signed the petition are in favour of removing the regulation to allow unrestricted parking on both sides of the street.

Ward 4

- (a) Alderman Dave Wilson advises that the existing extended corner clearances on both sides of Graham, running south and north from Monterey, are no longer required due to the implementation of "all-way stop control" at the subject intersection.
- (b) Staff has received a petition signed by representatives of eight of the nine homes abutting Crosthwaite between Britannia and Cannon requesting that the existing "Permit Parking" regulation be removed from the east side of the street in this block. All eight of the residents that signed the petition are in favour of removing the regulation to allow unrestricted parking.
- (c) Pauline Blair, 83 Kenilworth Avenue North, has requested that northbound stop control be implemented at the "T" type intersection of Alice and Hope.
- (d) Brian Desjardins, 179 Fairfield Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the east side of Fairfield opposite his home since he is disabled. Andrew Jack, 184 Fairfield Avenue, has advised that he supports the implementation of the subject regulation directly in front of his home.
- (e) Mr. Taras Pylypiuk, 1338 Monterey Avenue, has requested the implementation of a "No Stopping - Wheelchair Loading" regulation on the south side of Monterey in front of his home to accommodate the provision of DARTS services for his mother who is disabled.

Ward 6

- (a) Tom Whitworth, 994 Upper Kenilworth Avenue, has requested that all-way stop control be implemented at the intersection of Milkyway/Trenholme and Upper Kenilworth. The subject intersection is adjacent to Trenholme Park. Therefore, staff concurs with the request.

Ward 7

- (a) Terry Power, 664 Upper Wentworth Street, has requested the removal of the "Wheelchair Loading Zone, 9:00 a.m. to 11:00 p.m., 7 Days a Week" on the north side of Vickers, adjacent to his home, since the resident for whom the regulation was implemented has moved, which staff has confirmed.
- (b) Staff has received a petition signed by representatives of the three homes abutting the south side of Lawnhurst, east of Lawnview, requesting that the existing 120 foot "No Stopping" corner clearance be removed to allow unrestricted parking in this area. The intersection of Lawnhurst and Lawnview is presently controlled by an all-way stop and therefore, the corner clearance is no longer required.

Ward 8

- (a) Katharine Muir, 138 Gledhill Crescent, has requested that northbound stop control be implemented at the "T" type intersection of Brigadoon and Gledhill. Also, staff is recommending that all-way stop control be implemented at the "T" type intersection of Brigadoon and Matthew, since it is an intersection of two neighbourhood collector roadways.
- (b) Elaine Simon, Principal of Corpus Christi School, has requested revisions to the location of the existing School Bus Loading Zone on Alderson to better position the four school buses picking up/dropping off students.
- (c) David James, 73 San Remo Drive, has requested that a full-time "Wheelchair Loading Zone" regulation be implemented on the east side of San Remo, directly in front of his home, since the residents require the use of DARTS vehicles.

P A R K S & R E C R E A T I O N
C O M M I T T E E

(Report to follow)

**PLANNING & DEVELOPMENT
COMMITTEE**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

REPORT 01-00 TO CITY COUNCIL

Wednesday January 12, 2000

7:00 p.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman D'Amico (Chairperson), Alderman Copps (Vice-Chairperson), Alderman Charters, Alderman Eisenberger, Alderman Caplan, Alderman Kelly, Alderman Haining

Regrets: Mayor Morrow (Civic Business), Alderman Corsini (Vacation)

Also Present: P. Mason, B. Janssen, T. Agnello

Alderman F. D'Amico Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. St. Mark's Church – New Use (Item 2.1)

(a) That the following recommendation **be denied**:

- A. That the Planning and Development Committee direct the staff of the Community Planning and Development Division to proceed immediately with a City Initiative to rezone the lands at 130 Bay Street South from "E-3" (High Density Multiple Dwellings) District to "A" (Conservation Open Space, Part and Recreation, etc) District, modified, to reflect the proposed land use, as a condition of sale;
- B. That any sale of the property be subject to the finalization of the rezoning as identified in Recommendation "A" above;

- C. That staff in Real Estate and Legal Services be directed to enter into negotiations with the Charismatic Episcopal Church of Canada (Church of the Deliverer) for the purposes of entering into an agreement of purchase and sale for the cost of \$350,000.;
- D. That the sale of the St. Mark's property be subject to the following conditions:
- 1) that a Heritage Conservation Easement be signed in favour of the City of Hamilton on the church building and on the open space;
 - 2) that the City be granted the right of first refusal;
 - 3) that the owner of the St. Mark's property guarantee public access to the grounds of St. Mark's; and,
 - 4) that a letter of intent be signed with the new owners agreeing to complete the renovations within two years from the date of purchase.
- (b) That City Council continue to look for alternate uses for St. Mark's Church.

For the information of City Council respecting Item 1:

At the public meeting associated with this matter, the following individuals made oral submissions:

- Roberta Harmon, Durand Neighbourhood Association spoke in opposition to the staff recommendation. She submitted a letter and questionnaire which was answered by Bill Janssen.
- Janice Brown of 163 Duke Street and a member of the Durand Neighbourhood Association, spoke in opposition to the staff recommendation.
- Ellen Campbell of 43 Mount royal Crescent in Mount Campbell spoke in favour of the staff recommendation
- Joan McDonald of 43 Duke Street spoke in opposition to the staff recommendation.
- Paul Mansfield of 121 Hunter Street West spoke in favour of the staff recommendation.
- Jill Simmons on behalf of Mary Pocius of the International Villages BIA spoke in opposition to the staff recommendation.
- Brian Henley, 19 Alexander Street, and a member of of LACAC spoke in favour of the staff recommendation.

- Diane a Staff person at the Hamilton Sexual Assault Centre and resident of 24 Charlton Avenue West spoke in favour of the recommendation.
- Vilma Rossi of the Hamilton Sexual Assault centre stated that they need to enter into discussions with the group wishing to purchase St. Mark's regarding their program.
- Mary Schnieder of 41 Fairleigh Avenue North suggested the property be rezoned as greenspace.
- Laurie Axey of 168 Emerald Street South wants the continuance of greenspace.
- Helene Fallon of the Durand Neighbourhood Association spoke in opposition to the staff recommendation.
- Sue Shaker of 45 Markland Avenue was concerned that there is no current appraisal.
- Nicholas Kebleham, 166 Charlton Avenue West was concerned that there is no current appraisal.
- Ed Shaker of 45 Markland Avenue spoke in opposition to the staff recommendation.
- Connie Hughes of 177 Duke Street questioned people's ability to use the property as greenspace.
- Russel Elmond, Durand Neighbourhood Association spoke in opposition to the staff recommendation.

A motion was placed on the floor that the property not be sold to the Charismatic church and that the land be rezoned open space. This motion was defeated.

A motion was placed on the floor to deny the staff recommendation and request council to continue to look for alternate uses. This motion was defeated.

A motion to approve the staff recommendation was placed on the floor and was defeated on a recorded vote as follows:

Recorded Vote:

Yeas: Alderman Kelly, Alderman Caplan-2

Nays: Alderman Charters, Alderman D'Amico, Alderman Haining, Alderman Copps,
Alderman Eisenberger -5 **LOST**

Subsequently the second motion placed on the floor was reconsidered and approved.

For the information of City Council:

(a) Declarations of Interest (Item1)

None declared.

Note: the meeting adjourned at 8:45p.m.

Respectfully submitted,

Alderman Frank D'Amico, Chairperson
Planning and Development Committee

Tina Agnello, Legislative Assistant
January 12, 2000



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

REPORT 02-00 TO CITY COUNCIL

Wednesday, January 19, 2000
9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Mayor R. M. Morrow, Aldermen B. Charters, F. Eisenberger, M. Caplan, R. Corsini, B. Kelly, D. Haining

Also Present: L. Coveyduck, G. Paparella, P. Mallard, P. Mason, A. Zuidema, P. Lampman, D. Clark, E. Switinky, E. Chajka, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 02-00 AND RESPECTFULLY RECOMMENDS:

1. ZAC-99-26 for 844 Upper Wentworth Street (PDC99068) (Item 3.1)

- (a) That approval be given to Official Plan Amendment No. 165 to establish a new Special Policy Area to permit an aesthetics and beauty salon within the "Residential" designation, on lands known as 844 Upper Wentworth Street, as shown on the attached map marked as APPENDIX "A", and that the Corporate Counsel be directed to prepare a By-law of Adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That approval be given to amended Zoning Application ZAC-99-26, Skinder Shelly Sohal, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified, to permit an aesthetics and beauty salon within the existing single family dwelling, for property located at 844 Upper Wentworth Street, as shown on the attached map marked as APPENDIX "A" on the following basis:

- (i) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as a Site Plan Control Application has been submitted and approved.

City Council may remove the 'H' symbol, and thereby give effect to the "C" District – Modified provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled;

- (ii) That the subject lands be rezoned from "AA" (Agricultural) District to "C" – 'H' (Urban Protected Residential, etc. - Holding) District;
- (iii) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (1) That notwithstanding Section 9(1) of Zoning By-law No. 6593, the following uses will be permitted:
 - (a) An aesthetics and beauty salon only within the existing building;
 - (b) an unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the dwelling;
 - (2) That a minimum 3.0 m wide landscape strip, and a visual barrier of not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the westerly lot line;
 - (3) That a visual barrier of not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the northerly and southerly lot lines;
 - (4) That a minimum 1.38 m wide landscape strip shall be provided and maintained along the easterly lot line except for any area used for vehicular access;

- (5) That notwithstanding Section 18A(1) of Zoning By-law No. 6593, not less than four (4) parking spaces shall be provided and maintained on the subject lands;
 - (6) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, a parking space length of not less than 5.8 m shall be provided and maintained;
 - (7) Section 18A(14) of Zoning By-law No. 6593 shall not apply; and
 - (8) Section 18A(26) of Zoning By-law No. 6593 shall not apply.
- (iv) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1438, and that the subject lands on Zoning District Map E-18 be notated S-1438;
 - (v) That the Corporate Counsel be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18 for presentation to City Council;
 - (vi) That the proposed change and modification in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of the proposed Official Plan Amendment No.165 by the Region of Hamilton-Wentworth; and,
 - (vii) Upon approval of the Official Plan Amendment and implementing Zoning By-law, the Bruleville Neighbourhood Plan be amended by redesignating the subject lands from "Commercial/Residential Conversion" to "Commercial".
- (c) That Site Plan Control By-law No. 79-275, as amended by By-law No. 87-233, be amended by adding the subject lands to Schedule "A".

For the Information of City Council respecting item 1:

Prior to this Public Meeting, the Chairman advised those present that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral Statement or written statement at the Public Hearing.

The proponents were present in favour of the staff recommendation.

The Committee approved the recommendation as amended to add Subsection (c).

2. ZAC-99-38 for 164 Rymal Road West (PDC00004) (Item 3.2)

That approval be given to Amended Zoning Application ZAC-99-38, Demetre Dekaneas, prospective owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit the use of the subject lands for single family residential uses, for lands located at 164 Rymal Road West, as shown on the attached map marked as APPENDIX "B", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the General Manager, Community Planning and Development Division be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9C for presentation to City Council; and,
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (d) That the subdivision agreement remain on title in perpetuity.

For the information of City Council respecting Item 2:

Prior to this Public Meeting, the Chairman advised those present that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral Statement or written statement at the Public Hearing.

The applicant and Angelo Camaracci were present in favour of the staff recommendation.

Harley Allison, adjacent property owner was present to state his concerns regarding appropriate drainage and fencing.

The Committee approved the recommendation as amended to include subsection (d).

3. Condominium Conversion, 23-25 Macauley Street West (PDC00001) (Item 4.1)

- (a) That approval be granted to application CDM-CONV-99-003 (Regional File 25CDM-99014) submitted by Emilia Fazekas, owner, for a draft plan of condominium for the property located at Nos. 23-25 Macauley Street West as shown on the attached Plan marked as APPENDIX "C", to provide for a condominium comprised of 5 individual townhouse condominium units, subject to the following conditions:
 - (i) That this approval applies to the attached draft plan dated January 4, 1999 (APPENDIX "A") prepared by B.A. Jacobs Surveying Ltd.;
 - (ii) That the owner enter into a Condominium Approval Agreement with the City incorporating these conditions of approval, including financial and other requirements of the City concerning roads, sidewalks, street lights and drainage, as the case may be, in a form satisfactory to Corporate Counsel, including, but not limited to:
 - 1) a condition which states that the portion of the parking within the Macauley Street West road allowance remains at the pleasure of City of Hamilton Council;
 - 2) a condition that states the City has the authority to rescind the agreement and have the parking removed from the road allowance;
 - 3) a condition that states it will be the sole responsibility of the Condominium Corporation to revise the approved plans, as required, to remove parking spaces P-1 to P-6 inclusive from the Plan.
 - (iii) That prior to approval of the final plan:
 - 1) the property taxes shall be in good standing and the draft plan of condominium shall conform with General Zoning By-law No. 6593 and the Official Plan; and,
 - 2) any variances or rezoning required in respect of the draft plan of condominium shall have been approved by the Committee of Adjustment or Council, as the case may be, in order that the draft plan of condominium is in compliance with General Zoning By-law 6593, namely, the non-conformity related to the provision of the six (6) required parking spots having a minimum dimension of 2.7m x 6.0m.

- (iv) That the applicant/owner enter into a Boulevard Parking Agreement with the City of Hamilton; and,
- (b) That the Municipal Clerk be directed to advise the Director of the Land Development Department of the Community Planning & Development Division of Council's decision.

4. Authorization for Staff attendance at an OMB Hearing- 83 Rosemont Avenue (PDC00002) (Item 4.2)

That the appropriate staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-99:200, respecting property located at No. 83 Rosemont Avenue, as shown on attached map marked as APPENDIX "D".

5. Revision to By-law 99-103 for lands on the South Side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive (PDC00003) (Item 4.3)

- (a) That Section 5 of By-law No. 99-103 be repealed in its entirety and replaced with a new subsection as follows:

"5. Sheet No. E-49B of the District Maps is amended by marking the lands referred to in section 1 of this By-law as S- 1429a."

- (b) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49B for presentation to City Council; and,
- (c) That the proposed modification to Zoning By-law No. 99-104 is in conformity with the Official Plan for the Hamilton Planning Area.

6. Demolition of 901 Scenic Drive – (PDC00005) (Item 4.4)

That the Building Commissioner be authorized to issue a demolition permit for 901 Scenic Drive in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

7. Demolition of 1328 Fennell Avenue East – (PDC00006) (Item4.5)

That the Building Commissioner be authorized to issue a demolition permit for 1328 Fennell Avenue East in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

8. Demolition of 84 Kennedy Avenue – (PDC00007) (Item 4.6)

That the Building Commissioner be authorized to issue a demolition permit for 84 Kennedy Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

9. Core Heritage 2000 Program, 84 James Street North (HSB00001) (Item4.7)

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of eighteen thousand and twenty dollars (\$18,020) to Eduardo Importing Ltd., registered owner of 84 James Street North, be approved.

10. Core Heritage 2000 Program, 47 James Street South (HSB00002) (Item 4.8)

That a grant, for façade improvements, under the Core Heritage 2000 Program in the amount of sixty-three thousand, eight hundred and sixteen dollars (\$63,816) to David H. Blanchard Property Corporation, registered owner of 47 James Street South, be approved.

11. Gore Heritage 2000 Program, 7 – 9 King Street East (HSB00003) (Item 4.9)

That a grant, for façade improvements, under the Gore Heritage 2000 Program in the amount of twenty thousand dollars (\$20,000) to Belinda Murray, Curtis Murray, and Austin Murray and Herta Murray, c.o.b. as B.C. Investments Co., registered owners of 7 – 9 King Street East, be approved.

12. Concession Street BIA Proposed Budget and Schedule of Payment for 2000 (PWT00004) (Item 4.10)

- (a) That the 2000 operating budget for the Concession Street B.I.A. (attached as Appendix 'E') be approved in the amount of \$17,000; and,

- (b) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (a) above; and,
- (c) That the following schedule of payments for 2000 be approved:

January	\$4,250
April	\$4,250
June	\$4,250
September	\$4,250

Note: 1999 assessment appeals may be deducted from the 2000 levy payments.

13. Main Street West BIA Proposed Budget and Schedule of Payment for 2000 (PWT00005) (Item 4.11)

- (a) That the 2000 operating budget for the Main Street West Street B.I.A. (attached as Appendix 'F') be approved in the amount of \$2,900; and,
- (b) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (a) above; and,
- (c) That the following schedule of payments for 2000 be approved:

January	\$2,900
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Note: 1999 assessment appeals may be deducted from the 2000 levy payments.

14. Appointment of a Chief Building Official (PDC00023) (Item 6)

That By-Law 96-138, The Appointment of Inspectors, be amended as follows:

- (a) Remove Len King as the Chief Building Official, under sentence (1);
- (b) Remove Peter C. Lampman as the Chief Building Official in the absence

of the Chief Building Official, under sentence (2);

- (c) Appoint Peter C. Lampman as the Chief Building Official; and,
- (d) Appoint Tom Redmond as the Chief Building Official in the absence of Peter C. Lampman.

15. By-laws:

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

- (a) C-01 A By-law to Amend By-law No. 96-138 Respecting the Appointment of Inspectors.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

- (b) Adoption of Minutes**
- December 3, 1999 (Item 2.1)
 - December 8, 1999 (Item 2.2)
 - December 14, 1999 (Item 2.3)

The Minutes of the meetings held December 3, 1999, and December 14, 1999 were adopted.

The minutes of the meeting held December 8, 1999 were approved as amended to change Alderman Copps' s comments in item 1. as follows:

" Alderman Copps suggested that we require new buildings over a certain size to have underground parking".

(c) Information Items (Item 7.14)

That the following Information Items as previously distributed to Members of the Planning and Development Committee, be received:

- (i) Secretary, LACAC re: LACAC minutes of December 8, 1999, dated January 6, 2000

- (ii) Heritage Canada Foundation re: Tax Treatment of Heritage properties dated December 15, 1999
- (iii) Correspondence from the Mayor to Richard Alway, Historic Sites and Monuments Board of Canada re: Auchmar and reply dated December 3, 1999
- (iv) Correspondence from the Mayor to Marjorie Mercer, Ontario Heritage Foundation re: Auchmar and reply dated December 2, 1999
- (v) Ministry of Municipal Affairs and Housing re: Provincial Sales Tax Grant program for affordable housing dated November 19, 1999
- (vi) General Manager, Community Planning and Development Division, re: 195 Ferguson Avenue North – Implementation of Wesley OMB decision (5th Report) (PDC99088)
- (vii) Economic Development and Tourism Committee re: Hamilton Halton Homebuilders' Association – City/Region Agreement – Marketing Plan dated December 8, 1999
- (viii) General Manager, Community Planning and Development Division re: Proactive Property Enforcement in the Downtown (PDC00008) dated December 22, 1999
- (ix) Dianne Cunningham, Minister of Training, Colleges, and Universities re: Increased Funding for on-campus Housing dated December 20, 1999

(d) **Referral From Council (Item 5)**

Correspondence from the Hamilton Homebuilders' Association re: Planning Department Staff Attrition for the Year 2000 was received.

(e) **Other Business (item 6)**

The Committee resolved as follows:

That the Community Planning and Development Division and Corporate Counsel staff be directed to prepare draft zoning by-laws that would implement the conditional agreement between the City of Hamilton and the Hamilton Harbour Commissioners for open space and a modified F-4 zoning in the area of Windermere Basin.

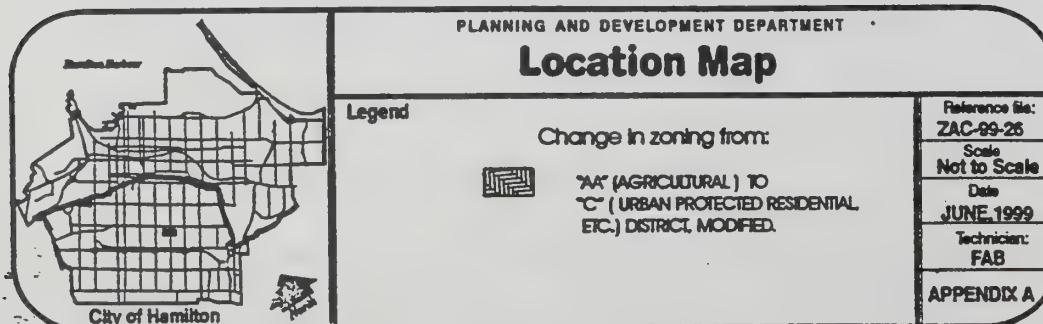
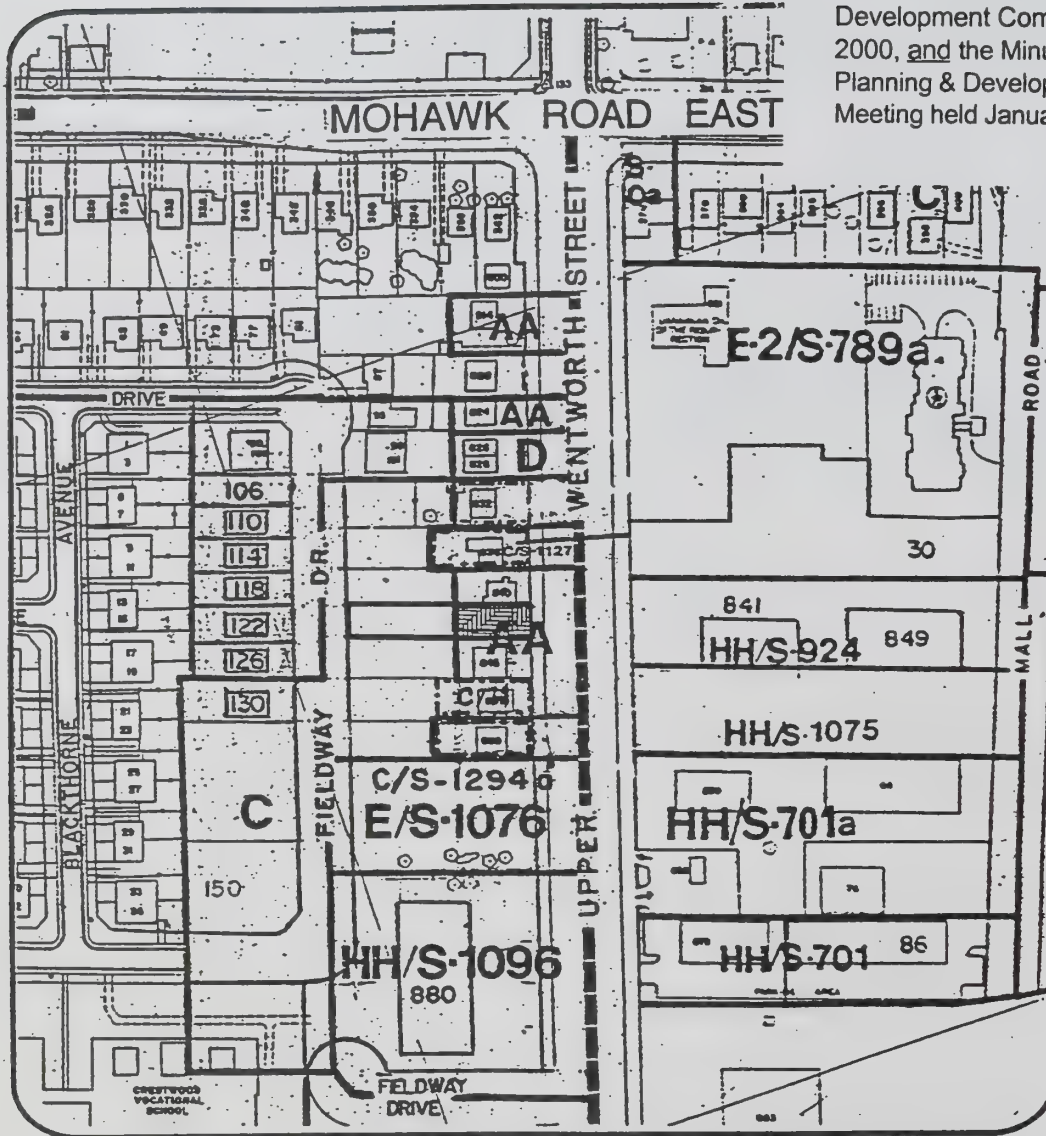
Note: The meeting of the Planning and Development Committee adjourned at 10:30 a.m.

Respectfully submitted,

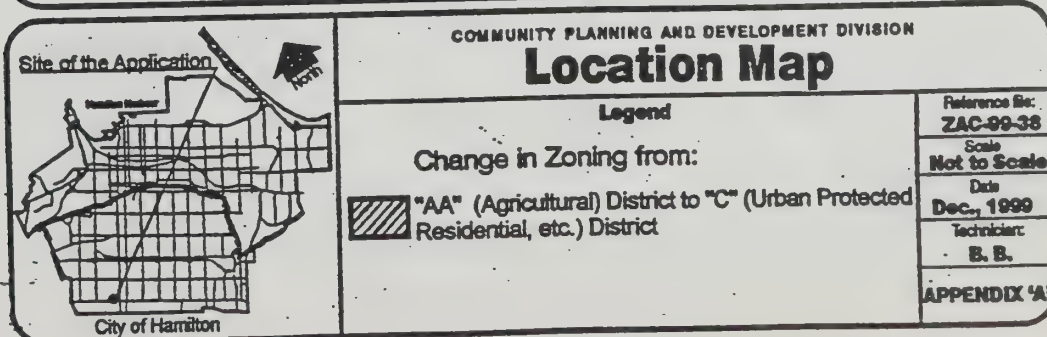
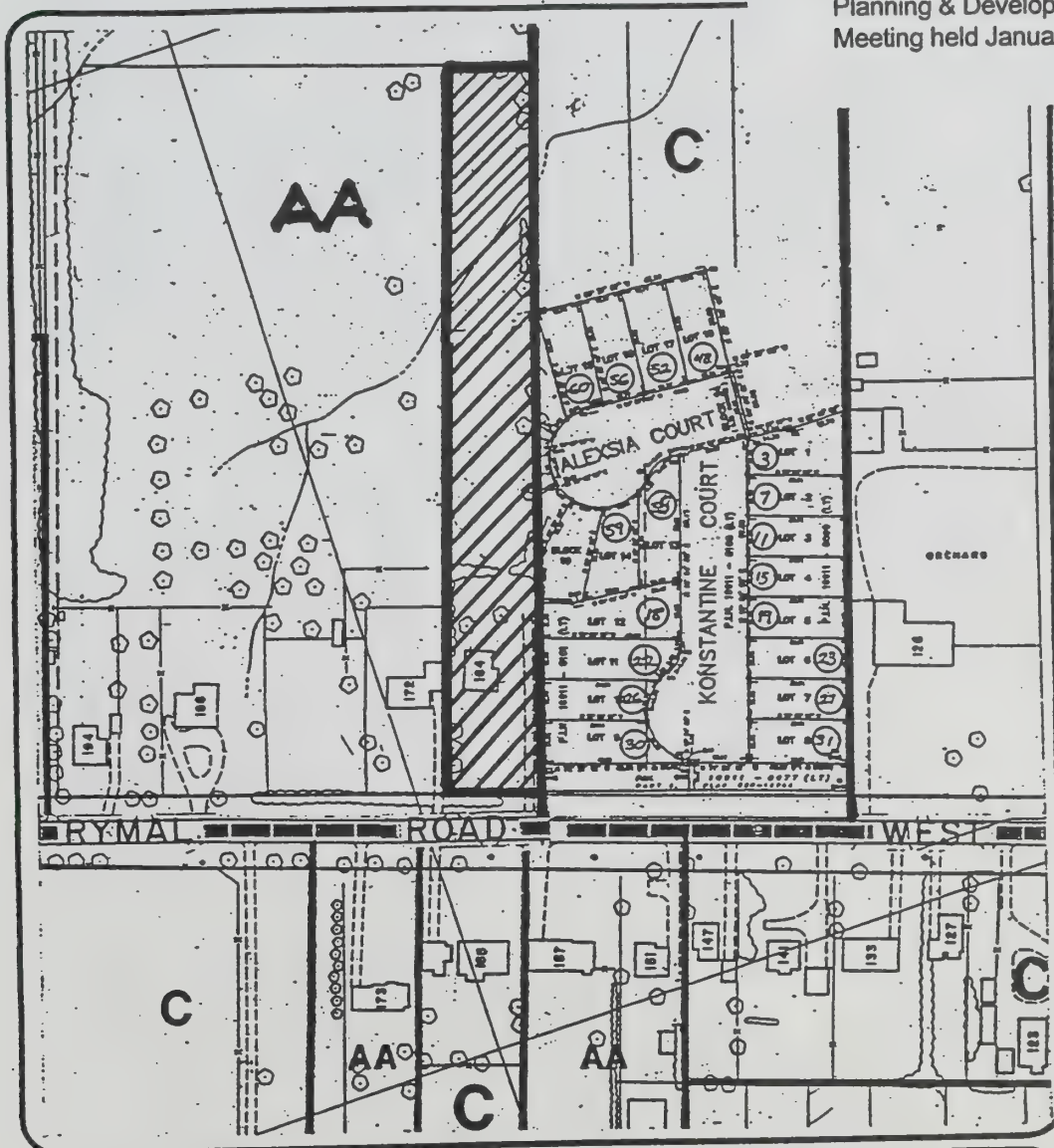
**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
January 19, 2000**

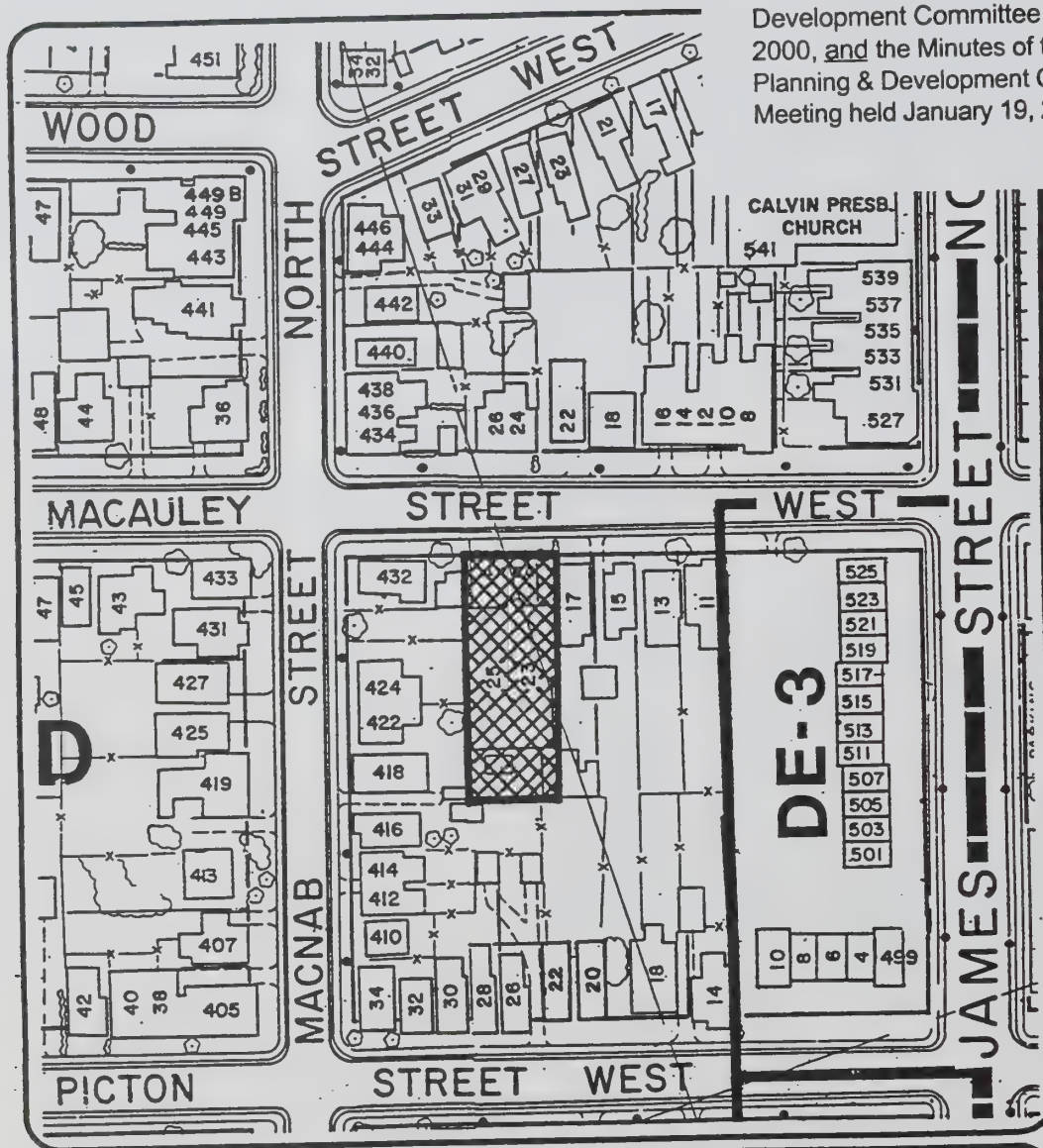
Appendix "A" referred to in Section 1 of Report 02-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held January 19, 2000.



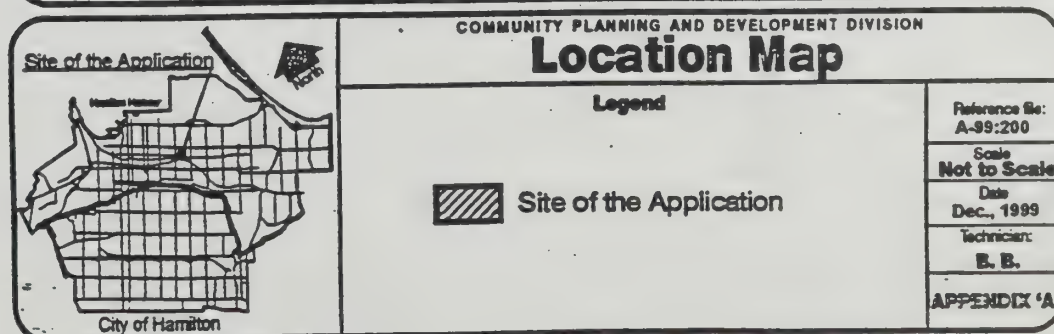
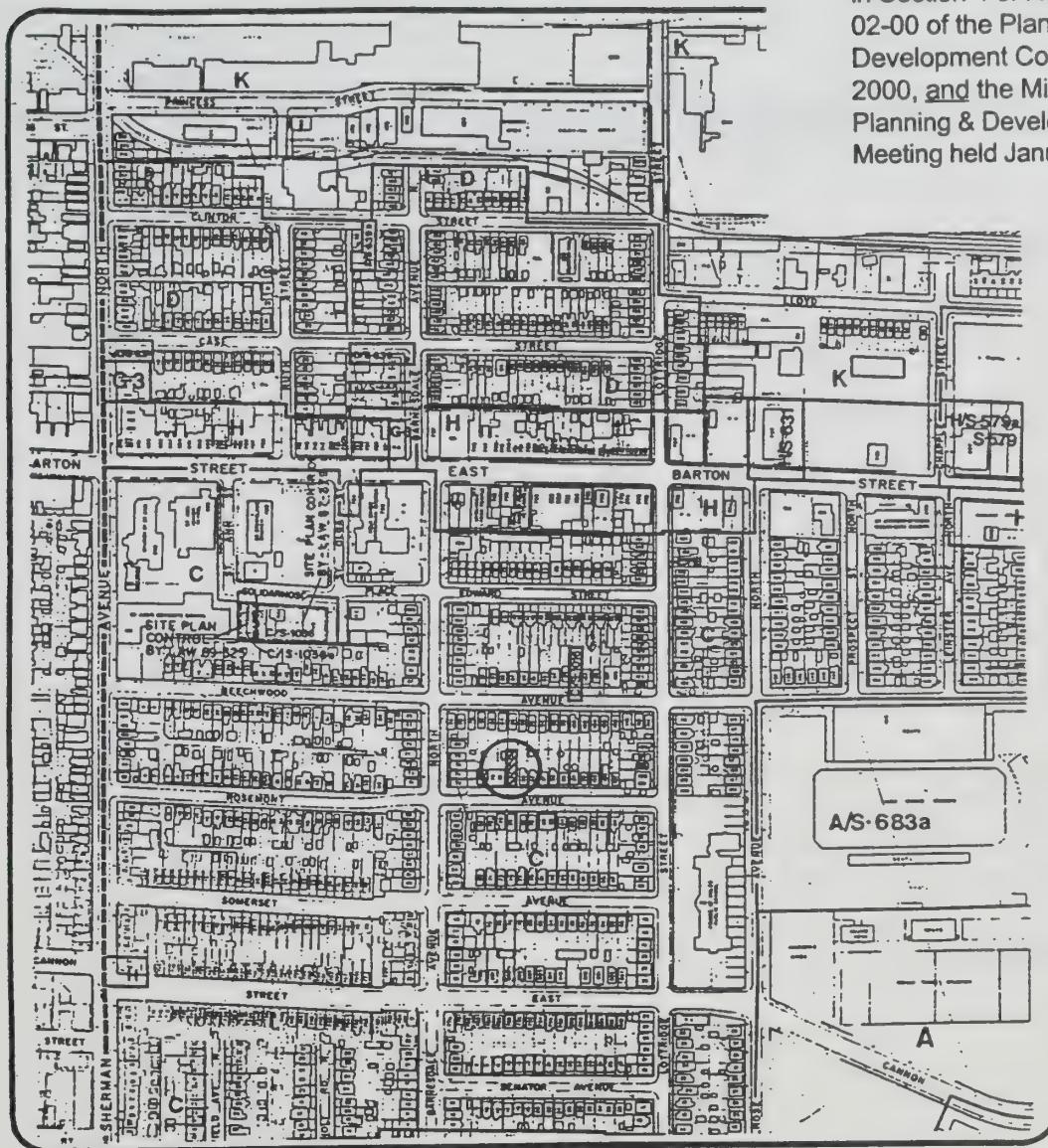
Appendix "B" referred to in Section 2 of Report 02-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held January 19, 2000.



Appendix "C" referred to in Section 3 of Report 02-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held January 19, 2000.



Appendix "D" referred to in Section 4 of Report 02-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held January 19, 2000.



**Concession Street Business Improvement Area (B.I.A.) –
Proposed Budget and Schedule of Payment for 2000 (PWT00004**

Appendix "E" referred to
in Section 12 of Report
02-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held January 19, 2000.

APPENDIX

CONCESSION STREET BUSINESS IMPROVEMENT AREA'S

2000 BUDGET

EXPENSES

Advertising and Promotion

Installation and storage of Christmas Decorations	\$3,000
Hydro-Christmas Lights	\$ 850
Streetfest and Corn Roast	\$6,600
Christmas, Bunny Hunt, Holloween, Newsletter	\$2,000

Administration

Office supplies, stamps, envelopes, printing, newsletter	\$900
Insurance	\$950
Accounting-auditor	\$350

Other

Wine and Cheese, Business to Business	\$700
Clean Sweep, Miscellaneous	\$500
Christmas decoration project	
Co-op advertising	\$1,150

TOTAL BUDGET	\$17,000
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Appendix "F" referred to
in Section 13 of Report
02-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held January 19, 2000.

**Main Street West Business Improvement Area (B.I.A.) –
Proposed Budget and Schedule of Payment for 2000 (PWT00005)**

APPENDIX

MAIN STREET WEST BUSINESS IMPROVEMENT AREA'S 2000 BUDGET

Insurance	\$ 300.00
Meeting Expenses	\$ 500.00
Audit	\$ 400.00
Maintenance	<u>\$1,700.00</u>
TOTAL BUDGET	\$2,900.00

FINANCE & ADMINISTRATION
COMMITTEE



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Report 01-00 TO CITY COUNCIL

Tuesday, January 18, 2000
9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:**City Finance and Administration Committee**

Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Mayor R. Morrow, Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly

Region Finance and Administrative Services Committee

Councillor B. Charters (Chairman), Councillor G. Etherington, (Vice-Chairman), Regional Chairman T. Cooke, Councillors D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, A. Bain, M. Caplan, A. Sloat

Also Present:

Councillors A. Marrone, G. Copps, R. Corsini
D. Lychak, J. Johnston, J. Bruzzese, D. Hall, A. Ross, Fire Chief G. Peace, R. Fair, L. Coveyduck, K. Nutley, H. Vastis, A. Herron, M. Wilson, Susan K. Reeder

Alderman D. Wilson, Chairman called the meeting to order.

**YOUR COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY
RECOMMENDS:****1. Declaration of Surplus Property - part of 280 Lake Avenue North
(CS00001)(Item 19)**

- (a) That a vacant parcel with an area of 0.2 hectares (0.5 acres) more or less, with a frontage of 20.23 metres (66.39 feet) on the east side of Lake Avenue North and a depth of 104 metres (340 feet), more or less, being part of a 7.43 hectare (18.35 acre) property owned by the City of Hamilton in the Stoney Creek ravine on the north side of Barton Street between Lake Avenue and Brockley Street, municipally known as 280 Lake Avenue

North, Hamilton, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

- (b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049.

2. City of Hamilton Temporary Borrowing By-law (FIN2000-001)(Item 20)

- (a) That the City be authorized to temporarily borrow monies to meet current budget expenditures for 2000 pending receipt of current revenues; and,
- (b) That the appropriate borrowing By-law be approved.

3. City of Hamilton 2000 Interim Taxation (FIN2000-005)(Item 21)

- (a) That the interim taxation rates for the City of Hamilton be set as follows, representing one half of the 1999 taxation rates rounded downward to 4 decimal places:

Class	Class Code	Rate
Residential	RT	.0094
Multi-Residential	MT	.0244
Residual Commercial	CT/DT	.0377
Residual Commercial Vacant	CU/DU	.0264
Shopping Centre	ST	.0339
Shopping Centre Vacant	SU	.0237
Parking and Vacant Commercial Land	CX/GT	.0355
Residual Industrial	IT	.0572
Residual Commercial Vacant Land and Unit	IU/IX	.0372
Large Industrial	LT	.0596
Large Industrial Vacant	LU	.0387
Pipeline	PT	.0185
Farmland	FT	.0023
Managed Forest	TT	.0023
Rail Right of Way	WT CN	\$1,006.40/Acre
Rail Right of Way	WT CP	\$1,206.56/Acre
Utility Right of Way	UT	\$ 832.59/Acre

- (b) That an adjustment be made to the appropriate accounts, in the amount of 50% of the projected 2000 phase-in adjustment for properties in the residential, farmland and managed forest classes in conjunction with the interim 1999 billing for those properties.
- (c) That an adjustment be made to the appropriate accounts, in the amount of 50% of the 1999 graduated tax rate adjustment for residual commercial and residual industrial classes of property, in conjunction with the interim 2000 billing for those properties.
- (d) That a non-metered water and sewer surcharge interim levy be established on behalf of the Regional Municipality of Hamilton Wentworth, based on approximately 50% of the 1999 charge, to be billed in two equal instalments, respectively payable on the dates that the related realty bills are due.
- (e) That in accordance with The Fairness for Property Taxpayer's Act, Section B of the capping provisions be applied to the commercial, industrial and multi-residential classes property specific be applied in the amount of 50% of the 1999 application of the capping program.
- (f) That all property classes, be billed for the 2000 interim levy in two instalments due February 29th and March 31st, respectively.
- (g) That the Director of Legal Services be authorized and directed to prepare the appropriate City of Hamilton By-law(s) and that the By-law(s) be passed and enacted.

4. Authorization to advertise externally for candidates to fill the position of Deputy Fire Chief - Operations, Hamilton Fire Department (CSC00001)(Item 22)

- (a) That the General Manager, Community Services Division be authorized to advertise externally simultaneously with the internal posting in order to ensure the best possible list of qualified candidates to fill the position of Deputy Fire Chief - Operations, Hamilton Fire Department and to streamline the hiring process; and,
- (b) That City Council expresses its sincere appreciation to retiring Deputy Chief Jim Cardwell for 30 years of dedicated service to the community.

6. Bills

That the following bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-1 A By-law to Authorize the temporary borrowing of monies to meet current expenditures pending receipt of current revenues.
- (b) D-2 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest (Item 1)**

None declared.

(b) **Adoption of Minutes- December 07, 1999 (Item 11)**

That the Minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on December 07, 1999 be adopted.

(c) **Development Charges Act - Complaint - 80 Newlands Avenue (FIN2000-004)(Item 12)**

The Committee agreed to table this matter for further review and discussion with Staff.

(d) **Correspondence - Implementation of Safety Measures for Horseback Riding Stables and Riding Camps in the City of Hamilton (Item 13)**

The Committee agreed to refer this matter to the Regional Community Services and Public Health Committee.

(e) **Referral from City Council - Review of the Mandate and Operations of the Downtown Partnership (Item 14)**

The Committee agreed to table this matter to their next meeting and invite Representatives of the Hamilton Downtown Partnership to attend as a Delegation.

(f) **Information Items Listing (Item 15)**

The Committee approved the receipt of the listing of Information Items Forwarded to them under separate cover.

(g) **Adoption of Minutes** (Item 18)

The Committee approved the minutes of a special meeting of the City Finance And Administration Committee held on Wednesday, November 24, 1999.

(h) **1997 Financial deficit - Lakeland Pool** (Item 23)

The Committee agreed to refer this matter to the General Manager, Finance for a report back regarding all amounts outstanding.

(i) **5% Parkland Dedication calculation - Woodland Meadows Subdivision** (New Business #1)

The Committee agreed that staff meet with the parties involved with the Woodland Meadows Subdivision for the purpose of resolving the 5% parkland dedication amount owing.

(j) **Claim - 120 Eastbourne Avenue** (New Business #2)

The Committee agreed that staff report back on the details of a tree claim at the property of 120 Eastbourne Avenue.

(k) **Brownfield Development Task Force** (New Business #3)

The Committee agreed that the Brownfield Development Task Force consist of Five members of City Council, and that the Nominating Committee be requested To determine who those members will be.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 11:30 a.m.

Respectfully submitted,

Alderman D. Wilson, Chairman
City Finance and Administration Committee

Susan K. Reeder, Legislative Assistant
January 18, 2000

LICENSING COMMITTEE

- (a) The Hamilton-Wentworth Regional Police Department be requested to notify the Licence Division will all occurrence reports regarding the Syndicate Night Club.
- (b) The Liquor Licensing Board be requested to report any violations of the Liquor Licensing Act to the Licence Division.
- (c) That the hours of operation be restricted to 2:45 a.m. to match those of the Liquor Licensing Board. (The continuation of this condition to be reviewed by the City of Hamilton Licensing Committee in one month).
- (d) The Licensee be required to comply with the regulations in the City of Hamilton Noise By-Law.
- (e) The City of Hamilton is to be represented at the Syndicate's Liquor Licence Board hearing (date yet to be set).
- (f) That the Hamilton-Wentworth Regional Police Department be requested to have the area beat patrol officer attend the premises nightly as a liaison officer.
- (g)
 - (i) The Licensee is to provide the Hamilton-Wentworth Regional Police with a letter of authority, which enables the police to ban anyone they deem undesirable, for the betterment of the community; and,
 - (ii) That a sign be erected at the entrance to the building stating that a condition of entry is that patrons may be subjected to a personal search.
- (h) The Licensee is to be requested to take steps to ensure that patrons of his premises do not loiter on any property under his control.
- (i) The Licence Division is to report back to the Licensing Committee at the end of one (1) month, three (3) months, six (6) months and one (1) year.

Noted for the information of City Council respecting Items 2:

Confidential background material pertaining to this matter was circulated to Members of City Council under separate cover

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes – November 10, 1999 (Item 2)

That the Minutes of the meeting of the City of Hamilton Licensing Committee held on November 10, 1999 be adopted.

(c) Taxi Cab Plate Renewals (PDC0014) (Item 4)

- (i) That taxi cab plate owners, who do not hold a valid taxi cab driver's licence be given one year to obtain a licence or to give notice of appeal by July 1st, 2000; and,
- (ii) That taxi cab plate owners who do not renew their licences in person be denied a licence unless a letter of appeal is submitted to the Licensing Committee by February 29, 2000.

Noted for the information of City Council respecting Item (c):

This matter falls within the jurisdiction of the Licensing Committee and therefore does not require Council approval.

(d) Taxicab Priority List Annual Renewal for 1999 (PDC00013) (Item 5.1)

That the list of 141 names of individuals (attached to the General Manager, Community Planning and Development Division report of, January 7, 2000), who have renewed their names on the Taxicab priority List for 1999, in accordance with Licence By-law 98-203, be adopted.

Noted for the information of City Council respecting item (d):

This matter falls within the jurisdiction of the Licensing Committee and therefore does not require Council approval

(e) **Ratification of Licences (PDC00015) (Item 5.2)**

That the Licence Reports respecting licence applications for the period from October 25 to November 15, 1999 be adopted.

Noted for the information of City Council respecting Item (e):

This matter falls within the jurisdiction of the Licensing Committee and therefore does not require Council approval.

Note: The meeting of the City of Hamilton Licensing Committee adjourned at 7:45 p.m.

Respectfully submitted,

**Alderman F. Eisenberger, Chairperson
City of Hamilton Licensing Committee**

**Stella Glover, Legislative Assistant
January 13, 2000**

REPORT OF HIS WORSHIP MAYOR MORROW



REPORT

CITY OF HAMILTON MAYOR'S REPORT

Report 01-00 TO CITY COUNCIL

Wednesday, December 22, 1999
2:00 p.m.

Mayor's Office, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow (Chairman), Alderman D. Wilson,
Alderman F. D'Amico, Alderman C. Collins

Regrets: Alderman T. Anderson, Alderman B. Morelli

Also Present: S. Merlo-Orzel, T. Whitehead

Mayor R. Morrow, Chairman called the meeting to order.

YOUR MILLENNIUM COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. **Millennium Projects and Funding - Main Street 2000 and Matching Funds**
(Item 2)
 - (a) That the organizations and events as outlined on the Appendix attached herewith and marked Appendix "A", be recommended to the Province of Ontario to receive funding under the Main Street 2000 Millennium Grant program to an upset limit of \$167,000.00 subject to Provincial approval; and
 - (b) That the organizations and events as outlined on the Appendix attached herewith and marked Appendix "B" be approved for funding from the City of Hamilton Millennium Program representing matched funding to the Provincial program as approved by City Council on November 24, 25 1999 during current budget deliberations and financed as a one-time item from the Reserve for Tax Stabilization.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared

Note: The meeting of the Millennium Committee adjourned at 2:45 p.m.

Respectfully submitted,

**Mayor Robert M. Morrow, Chairman
Millennium Committee**

**S. Merlo-Orzel
Events/Promotions Officer
Culture and Recreation Department
December 22, 1999**

APPENDIX A

Millennium Project Submissions

Name of Organization	Amount of request	Amount Recommended	Comments
Hamilton Community Foundation Our Millennium Hamilton-Wentworth Carolyn Milne, President, CEO Liz Weaver, Executive Director Volunteer Centre of Hamilton/District	\$60,000.00	\$60,000.00	"Our Millennium" project encourages citizens to come together in communities and contribute special gifts to the future. The gifts can be of time, money, energy, and commitment must be special collective and symbolic and are meant to signify the hopes, value and priorities of the people in Hamilton-Wentworth for the future being of our communities.
Barbara Smith Fundraising Chair - MADD 49 Amberly Blvd. Ancaster, ON L9G 3S1	\$6,300.00	\$6,000.00	To heighten awareness of impaired driving by providing visual reminder and to support victims of this crime.
City of Hamilton/Regional Municipalities Attention: Karen Baxmeier 527-5092	\$24,000.00	23,000.00	Millennium Archives Guide Benchmark, identify and appraise and document archival records held by municipalities within Region of Hamilton-Wentworth
Native Indian/Inuit Photographer Assoc. Attention: Carol Hill and Steve Loft 580 Concession Street Hamilton, ON L8V 1B1	\$15,000.00	\$15,000.00	NIPA would like to present a series of Native Art and Cultural even during the month of June to coincide with Aboriginal Day.
Hamilton Folk Arts Heritage Council Attention: Vera Papadopolous 149 Main Street East	\$18,000.00	\$18,000.00	To showcase our cultural diversity in the City of Hamilton during the Children's Millennium Festival. The project will include a talent sea for young people.

Report 01-00

Faith for the Future		
Ecumenical Service	\$30,000.00	\$30,000.00
Copps Coliseum April 1, 2000		
Bruce Woods - Co-Chair		
Festilitia Festival	\$18,000.00	\$15,000.00
TOTAL		\$167,000.00

Faith for the Future is an ecumenical service held in Copps Coliseum April 1, 2000. Three hour service with speaker Reverend Robert Schuller, host of television ministry, "Hour of Power". Program is composed of choirs, orchestralband and signing both traditional and contemporary. It will bring together population areas of Hamilton, Burlington, St. Catharines, Brantford, Kitchener, Waterloo, Cambridge etc. Three strands of Christianity will be participating: Roman Catholic, Orthodox, and Protestant.

Millennium Celebration and Mass. It is at Christ the King Cathedral September-00

APPENDIX B

Report 01-00

Name of Organization	Amount of request	Amount Recommended	Comments
City of Hamilton/Culture and Recreation Attention: Marilyn Havelka	25,000.00	\$15,000.00	Permanent outdoor exhibit if Hamilton's Industrial Heritage These exhibits will take advantage of existing walkways and gathering places in the City.
Vera Papadopoulos, Chairperson 153 Sherman Ave. South Hamilton, ON L8M 2R1	\$15,000.00	\$7,500.00	To design an ornamental garden on the south west corner on the City Hall grounds where an historical plaque honoring the visit of His All Holiness Ecumenical Patriarch Bartholomew 1
City of Hamilton Attention: Coralae Secore Sport Tourism Conference	\$23,750.00	\$13,750.00	Strategies and an action plan in developing a sport tourism at a community level.
Roman Catholic Diocese of Hamilton Attention: Ed Krupica 700 King Street West Hamilton, ON L8P 1C7	\$30,000.00	\$30,000.00	To commemorate 2000 years of Christianity within our community, theatrical presentation
- 5 -			
Argyll and Sutherland	\$5,000.00	\$5,000.00	Year 2000 trip to Edinburgh (Tattoo)
Twin Cities/City of Hamilton	\$20,000.00	\$20,000.00	Millennium City Video Camp with Twin Cities (Youth Project July 2
Hamilton Olympic Club Attention: Bill Urie P.O. Box 5704 Jackson Square Hamilton, ON L8P 4X1	\$5,000.00	\$5,000.00	The History of Athletes in Hamilton video will showcase. the many successes of the individuals and organizations that have been a part if Hamilton's distinguished track and field history.
Golden Age of Variety Show Attention: Mary Low Weir 75 McNab Street South Hamilton, ON L8P 3C1	\$7,680.00	\$7,680.00	A variety show featuring over 150 performers focusing on "Genera Uniting" three and four generation acts
Hamilton Children's Choir Attention: Marta Stiteler-Simon 252 James Street North Hamilton, ON L8R 2L3	\$5,000.00	\$5,000.00	To celebrate 25 years by featuring an evening of original Canadian music and showcasing the talents of Canadian performers

Millennium Committee

The Central City Choir
209 McNab Street North
Hamilton ON L8R 2M5

\$4,000.00

\$4,000.00

An ongoing children's choir made up of children from the core city.
CD production.

Hamilton Conservatory for the Arts
Attention: Janice Hunt
126 James Street South
Hamilton, ON L8P 2Z4

\$47,850.00

\$40,000.00

A secondary school co-op program assisting the Elementary School through active involvement in demonstrations (12 lessons) in a four arts. These demonstrations are built on the expectations from the Ontario Curriculum for the Arts.

Report 01-00

TOTAL

\$152,930.00

NOMINATING COMMITTEE



REPORT

CITY OF HAMILTON NOMINATING COMMITTEE

REPORT 01-00 TO CITY COUNCIL

Tuesday, January 25, 2000
(immediately preceding the formal meeting
of City Council)

Council Chambers, City Hall
71 Main Street West, Hamilton

**YOUR COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY
RECOMMENDS:**

1. Appointment of Members - Brownfield Development Task Force (Item 1)

That the following five (5) Members of City Council be appointed to serve on the Brownfield Development Task Force for a term to expire with the current term of Council:

Respectfully submitted,

**Mayor R. M. Morrow, Chairman
Nominating Committee**

**J. J. Schatz, Secretary
January 25, 2000**



BILLS

CITY OF HAMILTON CITY COUNCIL

**Tuesday, January 25, 2000
7:30 p.m.**

**Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton**

-
- A-03 A By-law to Amend By-law No. 89-72 to Regulate Traffic.**
 - A-04 A By-law to Amend By-law No. 89-72 to Regulate Traffic.**
 - C-01 A By-law Respecting the appointment of Inspectors.**
 - D-01 A By-law to Authorize the temporary borrowing of monies to meet current expenditures pending receipt of current revenues.**
 - D-02 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.**

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops At Intersections)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Alice	Northbound	Hope
Upper Kenilworth	Southbound	Milkyway/Trenholme
Gledhill	Northbound	Brigadoon
Brigadoon	Eastbound and Westbound	Matthew
Matthew	Northbound	Brigadoon"

2. That **Schedule 29 (No Stopping Areas - No Stopping Anytime)** of By-law 89-72, as amended, is hereby further amended by deleting therefrom the following items, namely:-

"Graham	West	Monterey to 75 feet north	Anytime
Graham	East	Monterey to 52 feet south	Anytime
Graham	East	Monterey to 59 feet north	Anytime
Lawnhurst	South	Lawnview to a point 120 feet east"	

3. That **Schedule 31 (School Bus Loading Zones)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Alderson	South	210 feet	299 feet west of	7:00 a.m. - 6:00 p.m."
			Upper James	Monday to Saturday

and by deleting therefrom the following item, namely:-

"Alderson South 241 feet commencing at a 7:00 a.m. - 6:00 p.m."
point 340 feet Monday to Saturday
west of Upper
James

4. That **Schedule 35 (Wheelchair Loading Zones)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"San Remo East 16 feet 92 feet south of Agro Anytime"

and by deleting therefrom the following item, namely:-

"Vickers North 50 feet commencing 86 feet 9:00 am - 11:00 pm"
west of Upper Wentworth

5. In all other respects, By-law 89-72 and all Schedules thereto, as amended, is hereby confirmed unchanged.
6. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 25th day of January, 2000.

MUNICIPAL CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 24 (Parking Meter Locations)** of By-law 89-72, as amended, is hereby further amended by adding to **Section 2(b)** thereof, (Two Hour Limit - one dollar per hour), the following item, namely:-

"Rebecca South James to Hughson"

and by deleting from **Section 3(b)** thereof, (One Hour Limit - one dollar per hour), the following item, namely:-

"Rebecca South James to Hughson"

2. That **Schedule 25 (Parking Time Limits)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Cline	North	commencing 295 feet west of King and extending 39 feet westerly therefrom	3 hr	8 am - 6 pm	Mon - Sun
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Cline	North	commencing 361 feet west of King and extending 56 feet westerly therefrom	3 hr	8 am - 6 pm	Mon - Sun"
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and by deleting therefrom the following item, namely:-

"Gibson	Both	Barton to Cannon	2 hr	8 am - 8 am	Mon - Sun"
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3. That **Schedule 26 (No Parking Areas)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

" Hess	West	commencing 50 feet north of King and extending 39 feet northerly therefrom	Anytime
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Chilton	West	commencing at the southerly end of Chilton and extending 26 feet northerly therefrom	Anytime"
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and by deleting therefrom the following items, namely:-

"Catharine	East	From 266 feet south of Barton to 100 feet southerly	8 am - 4 pm Mon - Fri
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Hess	West	Commencing at a point 50 ft. north of King to a point 43 ft. northerly therefrom	Anytime
------	------	---	---------

Graham	West	Monterey to a point 43 feet southerly	Anytime"
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4. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Walnut	West	commencing 79 feet north of Hunter and extending 21 feet northerly therefrom	Anytime
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Hess	West	commencing 89 feet north of King and extending 18 feet northerly	Anytime
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Fairfield	East	commencing 167 feet south of Britannia and extending 24 feet southerly therefrom	Anytime"
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and by deleting therefrom the following items, namely:-

"Catharine	West	commencing 116 feet north of MacAuley and extending to a point 20 feet northerly therefrom	Anytime
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Crosthwaite	East	Britannia to Cannon	Anytime"
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5. In all other respects By-law 89-72 and all Schedules thereto, as amended, is hereby confirmed unchanged.

6. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 25th day of January, 2000.

MUNICIPAL CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 00 –

To Amend

By-law No. 96-138

Respecting

THE APPOINTMENT OF INSPECTORS

WHEREAS subsection 2 of section 3 of Building Code Act provides that each municipality shall appoint a chief building official and such inspectors as are necessary for the purpose of the enforcement of the Act;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section "1." and "2." of By-law 96-138 are hereby deleted in their entirety and replaced with the following:
 1. (a) The following person is appointed chief building official:

Peter C. Lampman, P. Eng.
 - (b) The title of chief building official shall be as follows:

Acting Building Commissioner
2. (a) The following person is appointed an Inspector:

Thomas Redmond, P. Eng.
 - (b) The title of the Inspector appointed under clause (a) shall be as follows:

Acting Manager of Customer Services
2. In all other respects, By-law 96-138 is confirmed in force and effect.

PASSED this 25th day of January, A.D. 2000.

Municipal Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON
BY-LAW NO. 00-

**To Authorize the Temporary Borrowing of Monies to Meet Current
Expenditures Pending Receipt of Current Revenues.**

WHEREAS section 187(1) of the Municipal Act, R.S.O. 1990, as amended, provides as follows:

"A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or banker's acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking funds, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide";

AND WHEREAS Section 187(2) of the said Act, as amended by the Municipal Statute Law Amendment Act, S.O. 1992, c. 15 provides as follows:

"The amount that may be borrowed at any one time for the purposes mentioned in subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year";

AND WHEREAS the Council of the Corporation of the City of Hamilton (hereinafter called the "Corporation") in adopting Item of the Report of the Finance and Administration Committee on January 2000 authorized the temporary borrowing of monies to meet current budget expenditures for the year 2000 pending receipt of current revenues;

NOW THEREFORE the Council of the Corporation of the City of Hamilton hereby enacts as follows:

1. (1) The Corporation of the City of Hamilton is hereby authorized to borrow from a Bank or person by way of Promissory Notes or Bankers Acceptances from time to time a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the Corporation for the year 2000, including amounts for sinking funds, principal and interest falling due within such fiscal year and the sums required by law to provide for the purposes of the Corporation.
- (2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year.
2. (1) Until estimates of revenue of the Corporation for the 2000 year are adopted, borrowing shall be limited to the estimated revenues of the Corporation as set forth in estimates adopted for the next preceding year.
- (2) The total estimated revenues of the Corporation, including the amounts levied for Region and Education purposes, adopted for the year 1999 are Five Hundred and Twenty-four Million, Six Hundred and Seventy Thousand, Two Hundred and Ten Dollars (\$524,670,210.00)
3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.

5. That the Mayor and failing such person, the Chairman of the Finance and Administrative Committee of the City Council and failing such person, the City Manager, together with the Treasurer or Temporary Acting Treasurer be authorized and directed to sign and execute the aforesaid Promissory Notes and Bankers Acceptances, hypothecations, agreements and such other documents, writings and papers which shall give effect to the foregoing.
6. By-law 99-092 is repealed.
7. This by-law shall come into force and effect on the 31st day of December, 1999, and shall remain in force and effect until December 31, 2000.

PASSED AND ENACTED THIS 25th DAY OF January 2000

MUNICIPAL CLERK

MAYOR

BY-LAW NO. 00-

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 25TH DAY OF JANUARY, 2000.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 25th day of JANUARY A.D. 2000

MUNICIPAL CLERK

MAYOR



**URBAN
MUNICIPAL**

AGENDA

CITY OF HAMILTON CITY COUNCIL

Tuesday, February 8, 2000
7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

FEB 18 2000

GOVERNMENT DOCUMENTS

**J. J. Schatz
Municipal Clerk**

CALL TO ORDER

1. **NATIONAL ANTHEM**
2. **OPENING PRAYER:** Reverend L. J. Cowper, Central Presbyterian Church
3. **PRESENTATION:**
 - 3.1 Stella Woock – Inner City Ballet Hamilton
 - 3.2 Robin Ozolins – 1999 Can. National Junior Prone Sporting Rifle Champion

CERTIFICATES OF RECOGNITION

- 3.3 Michael Serbinis – DocSpace Company Inc.
- 3.4 Tom Theos - The Old Magill House Restaurant
4. **ADOPTION OF THE MINUTES OF THE MEETING HELD JANUARY 25, 2000.**
5. **CORRESPONDENCE – (None at time of printing)**
6. **REPORTS OF THE STANDING COMMITTEES:**
 - 6.1 Transport and Environment Committee – Report 03-00
 - 6.2 Parks and Recreation Committee – Report 02-00
 - 6.3 Planning and Development Committee – Report 03-00
 - 6.4 Finance and Administration Committee – Report 03-00

**City Council
Agenda**

- 2 -

- 7. NOTICE OF MOTION FOR NEXT MEETING**
- 8. QUESTION PERIOD.**
- 9. ADJOURNMENT**

MINUTES



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, January 18, 2000

8:55 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Wilson, G. Copps, C. Collins,
F. Eisenberger, T. Jackson, B. Charters,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Regrets:

Alderman D. Haining – City Business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman D'Amico that the Report of the Transport and Environment Committee be now considered in the Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 01-00

Section 1 Re: Ontario Municipal Board Hearing – 75 Centennial Parkway North (Eastgate Square)

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan - 13.

NAYS: Aldermen Copps, Collins, Eisenberger. -3 **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman D'Amico that the Report of the Committee of the Whole on the Report of the Transport and Environment Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan -16.

NAYS: -0. **CARRIED.**

Hamilton City Council then adjourned at 9:00 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz,
Municipal Clerk
January 18, 2000**

REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

REPORT 01-00 TO CITY COUNCIL

Thursday, January 6, 2000
10:00 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton



Present: Alderman D. Wilson (Vice-Chairperson)
Aldermen T. Anderson, A. Horwath, T. Jackson, M. Kiss,
B. Morelli

Also Present: Alderman G. Copps

Regrets: Alderman C. Collins – City Business
Alderman F. D'Amico – City Business
Mayor R. M. Morrow – City Business

Alderman D. Wilson, Vice Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 01-00 AND RESPECTFULLY RECOMMENDS:

1. **Ontario Municipal Board Hearing – 75 Centennial Parkway North
(Eastgate Square) (Item 2.1)**
 - (a) That the proposed alteration of Delawana Drive, from approximately 70 metres west of Centennial Parkway to approximately 30 metres west of Fairington Crescent, be approved; and,
 - (b) That the proposed alteration of Centennial Parkway, from approximately 50 metres south of Delawana Drive to approximately 40 metres north of Vineyard Road, be approved; and,

- (c) That the Road Alteration By-law to alter Delawana Drive and Centennial Parkway be passed and enacted; and,
- (d) That the removal of the 12 existing street trees and their replacement with 24 large calliper trees, required to permit the relocation of the driveway accesses to Centennial Parkway and Delawana Drive, be approved;
- (e) That prior to the beginning of roadway construction, the Cadillac Fairview Corporation Ltd. Be required to pay to the City of Hamilton \$11,449, which is the estimated cost for removal and replacement of the street trees;
- (f) That the owner be required to install and maintain a truck barrier over the mall entrance near the former Eaton's store to stop delivery trucks from utilizing this access;
- (g) That Cadillac Fairview Corporation Ltd. and the Community Planning and Development Division be advised of these actions.

Noted for the information of the Committee respecting Item 1:

The Committee moved In Camera to receive legal advice. Subsequently, the Committee reconvened in Open Session and approved the aforementioned recommendation.

Council Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan - 13.

NAYS: Aldermen Copps, Collins, Eisenberger. -3 **CARRIED.**

2. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-01 A By-law to alter Centennial Parkway North, between Delawana Drive and Vineyard Road, and to alter Delawana Drive from west of Fairington Crescent to the east of Centennial Parkway North

- (b) A-02 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton

Note:	The meeting of the Transport and Environment Committee adjourned at 10:15 a.m.
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Respectfully submitted,

**Alderman D. Wilson, Vice-Chairperson
Transport and Environment Committee**

Carolyn Biggs
Legislative Assistant
January 6, 2000



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, January 25, 2000
7:30 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, G. Copps, C. Collins, F. Eisenberger, T. Jackson,
B. Charters, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Regrets: Alderman D. Wilson – Family Illness

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Father Metias, Saint Mina Coptic Orthodox Church, led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a Certificate of Recognition to Alberta Adams in honour of the Imperial Order of the Daughters (IODE) "Women Working Together for Canada" in recognition of their 100th Anniversary.

A Certificate of Recognition was presented to Elisabeth and Suzanne Wall for their efforts in rescuing eight children from a burning house in Hamilton.

Mayor R. M. Morrow recognized John Johnston, Commissioner of Human Resources for his years of service to the City and Region. Mr. Johnston is retiring after 31 years of service.

Mayor R. M. Morrow recognized Deputy Fire Chief James Cardwell for his years of service to the Hamilton Fire Department who is retiring after 30 years of service.

ADOPTION OF MINUTES

The Minutes of the meetings held December 14, December 17, December 21, 1999 and January 18, 2000 were adopted as circulated.

CORRESPONDENCE

1. Application dated January 12, 2000 from the City of Hamilton for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District for 1389 Upper James Street, Hamilton, Ontario.

Received.

2. Application dated January 11, 2000 from Angie Nesci, 683595 Ontario Inc., for a change in zoning from "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, modified to "R-4" (Small Lot Single Family Detached) District for Block "1" and from "L-c" (Planned Development- Commercial) District, modified to "R-4" (Small Lot Single Family Detached) District for Block "2" and from "L-c" (Planned Development Commercial) District, modified to "C" (Urban Protected Residential, etc.) District for Block "3" and from "D" (Urban Protected Residential – One and Two Family, Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District for Block "4" and from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "C" (Urban Protected Residential, etc.) District for 1512 Upper Gage Avenue

Received.

3. Letter dated January 18, 2000 from E. R. Harman, President, Durand Neighbourhood Association Inc., respecting St. Mark's Church Site.

Received.

4. Letter dated January 25, 2000 from Dr. Diane Dent, Chairperson, L.A.C.A.C. re: St. Mark's Church.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Report of His Worship Mayor R. M. Morrow, and the Nominating Committee, be now considered in Committee of the Whole with Alderman Horwath in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 02-00

PARKS AND RECREATION COMMITTEE – REPORT 01-00

Section 2 Re: Aviary – Joint Feasibility Study with the Royal Botanical Gardens (RBG).

It was moved by Alderman Morelli and seconded by Alderman Jackson that Section 2 of the Report 01-00 of the Parks and Recreation Committee be amended to delete the first sentence in the Note Section. **CARRIED.**

Section 2 Re: Aviary – Joint Feasibility Study with the Royal Botanical Gardens (RBG).

It was moved by Alderman Caplan and seconded by Alderman Kiss that Section 2 of Report 01-00 of the Parks and Recreation Committee be referred back.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Haining, Copps, Collins. -7.

NAYS: Aldermen Corsini, Morelli, Eisenberger, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -9.

LOST.

Recorded vote on main motion.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Morelli, Haining, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Aldermen Kiss, Caplan, Copps. -3.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 01-00
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Section 1 Re: St. Mark's Church – New Use.**Recorded vote.**

YEAS: Aldermen Kiss, Horwath, Corsini, Haining, Copps, Charters. -6.

NAYS: Mayor Morrow, Aldermen Caplan, Morelli, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -9. **LOST.**

Section 2 Re: St. Mark's Church – New Use.

It was moved by Alderman Caplan and seconded by Alderman D'Amico that the following be added as Section 2 of Report 01-00 of the Planning and Development Committee:

2. St. Mark's Church – New Use.

- A. That the Planning and Development Committee direct the staff of the Community Planning and Development Division to proceed immediately with a City Initiative to rezone the lands at 130 Bay Street South from "E-3" (High Density Multiple Dwellings) District to "A" (Conservation Open Space, Park and Recreation, etc) District, modified, to reflect the proposed land use, as a condition of sale;
- B. That any sale of the property be subject to the finalization of the rezoning as identified in Recommendation "A" above;
- C. That staff in Real Estate and Legal Services be directed to enter into negotiations with the Charismatic Episcopal Church of Canada (Church of the Deliverer) for the purposes of entering into an agreement of purchase and sale for the cost of \$350,000.;
- D. That the sale of the St. Mark's property be subject to the following conditions:

- 1) that a Heritage Conservation Easement be signed in favour of the City of Hamilton on the church building and on the open space;
- 2) that the City be granted the right of first refusal;
- 3) that the owner of the St. Mark's property guarantee public access to the grounds of St. Mark's; and,
- 4) that a letter of intent be signed with the new owners agreeing to complete the renovations within two years from the date of purchase.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Morelli, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -9.

NAYS: Aldermen Kiss, Horwath, Corsini, Haining, Copps, Charters. -6.
CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 02-00**FINANCE AND ADMINISTRATION COMMITTEE - REPORT 01-00****Rule No. 9 Re: Bill D-3: A By-law to Enact an Interim Tax Levy.**

It was moved by Alderman O'Sullivan and seconded by Alderman Corsini that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of Bill D-3 – A By-law to Enact an Interim Tax Levy.
CARRIED.

Section 5 Re: A By-law to Enact an Interim Tax Levy.

It was moved by Alderman O'Sullivan and seconded by Alderman Kelly that the following Bill be added as sub-section (c) of Section 5 of Report 01-00 of the Finance and Administration Committee:

“(c) D-3 A By-law to Enact an Interim Tax Levy” **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 02-00

Section 1 Re: Receipt of Offers to Purchase – 11 Rebecca Street.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Copps. –1.

CARRIED.

CITY OF HAMILTON LICENSING COMMITTEE - REPORT 01-00

HIS WORSHIP MAYOR R. M. MORROW – REPORT 01-00
(Millennium Committee)

NOMINATING COMMITTEE - REPORT 01-00

ACTING MAYOR FOR THE MONTH OF FEBRUARY 2000

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman T. Jackson be appointed Acting Mayor for the month of February, 2000. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Report of His Worship Mayor R. M. Morrow, the Nominating Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

Note: The meeting adjourned at 9:10 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
January 25, 2000
JJS/dg**

CORRESPONDENCE

TRANSPORT AND ENVIRONMENT COMMITTEE



REPORT

CITY OF HAMILTON Transport and Environment Committee

REPORT 03-00 TO CITY COUNCIL

Monday, January 31, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Aldermen M. Kiss, A. Horwath, B. Morelli, T. Jackson, F. D'Amico

Regrets: Mayor R. Morrow – City Business
Alderman T. Anderson – Regional Business

Alderman C. Collins, Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 03-00 AND RESPECTFULLY RECOMMENDS:

1. **Petition to Reduce the Speed Limit on Lake Avenue and Delawana Drive (PWT00029) (Item 4)**
 - (a) That the speed limit on Lake Avenue, from Barton Street East to Queenston Road, be reduced from 50 km/hr to 40 km/hr and that an appropriate by-law to amend City Traffic By-law 89-72 be passed and enacted;
 - (b) That a Sub-Committee composed of Aldermen C. Collins, D. Wilson, M. Kiss, T. Jackson and F. D'Amico, be established to work with staff, school parent/teacher councils and safety councils to identify school safety zones and review legislation and bring a report back to the Committee with recommendations.

2. 2000 Proposed Road and Sidewalk Capital Improvement Program (PWT00030) (Item 5)

That the Acting Commissioner of Public Works and Traffic and the General Manager of Transportation, Operations and Environment be authorized to undertake the works in the 2000 Road and Sidewalk Capital Improvement Programme, attached hereto as Schedule "A", at an estimated cost of \$5,635,000 on behalf of the City of Hamilton once all the necessary approvals have been received.

3. Request for Approval to Hire School Crossing Guards (PWT00028) (Item 6)

That Community Traffic and Parking Services be authorized to hire, on a temporary basis, School Crossing Guards as needed in order to ensure that all School Crossing Guard locations are attended and that the public safety is not jeopardized.

4. Routine Amendments to the City Traffic By-law 89-72 – January 31, 2000 (PWT00034) (Item 7.1)

That the requests for routine amendments, attached hereto as Appendix "B", be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

5. Neighbourhood Watch Program for the Stinson Neighbourhood (PWT00026) (Item 7.2)

- (a) That the Stinson Neighbourhood be designated as a Neighbourhood Watch Area; and
- (b) That Neighbourhood Watch signs for the Stinson Neighbourhood be erected and maintained by the Department of Public Works and traffic, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
- (c) That the necessary funds be charged to the Neighbourhood Watch Program, Account No. COHAM-55301-466010.

6. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-05 A By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (b) A-06 A By-law to amend Traffic By-law 89-72 to Regulate Traffic

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes - January 6 and 17, 2000 (Item 2)

That the Minutes of the meetings of the Transport and Environment Committee held on January 6 and 17, 2000, be adopted.

(c) Public Meetings

(i) Proposed Outdoor Boulevard Café – 56 Hess Street South, Hamilton (PWT00036) (Item 3.1)

That Report PWT00036 respecting the application of Berg Corp., operating as Doors Pub and Pizzeria at 56 Hess Street South, for a proposed extension to the outdoor boulevard café, be tabled to allow for the opportunity for staff and the Ward Aldermen to meet with the residents in an attempt to resolve concerns of the residents.

Noted for the information of the Committee respecting Item (c)(i)

Subsequent to hearing a presentation from staff, Mr. Bruce Bergland, owner of 56 Hess Street South, addressed the Committee in support of his application for an extension to the outdoor boulevard café.

The Committee received presentations from the following residents, expressing their strong opposition to the application:

- (a) Pamela Bragoli, 1606-222 Jackson Street West;
- (b) Jim Bell, 1401-222 Jackson Street West;
- (c) Ruth Chisholm, 606-222 Jackson Street West; and,
- (d) Lillian Wilson, 406-222 Jackson Street West.

The Committee also received a written submission from Edward and Diane Kantowski, expressing their opposition to the application.

(ii) **Proposed Outdoor Boulevard Cafe – 362 Barton Street East, Hamilton (PWT00016)** (Item 3.2)

That Report PWT00016 respecting the application of J. and L. Ferreira, owners of Beira Litoral Café at 362 Barton Street East, to operate an outdoor boulevard café, be tabled to allow for the opportunity for staff and the Ward Aldermen to meet with the residents, applicant and B.I.A. in an attempt to resolve concerns of the residents.

Noted for the information of the Committee respecting Item (c)(ii):

Following a staff overview, the Committee received a presentation from Thelma Gravis, 358 Barton Street East, expressing her opposition to the application for an outdoor boulevard café at 362 Barton Street East.

The Committee also received written submissions from the following residents, expressing opposition to the application:

- (a) Brenda Pickett, 246 Emerald Street North;
- (b) Hans Lieferink, 82 Oak Avenue;
- (c) Bill Powell, Executive Director, Hamilton Wentworth Creative Arts; and,
- (d) Virgilio and Mario Neto, 105 Oak Avenue.

(d) **Other Business**

Dumping of Bulk Refuse on City Streets (New Business – No Copy)

Staff was directed to bring a report back identifying areas in the City where illegal dumping of bulk refuse occurs and the cost recovery through enforcement.

(e) Information Items (Item 7.3)

That the following items, be received:

- (i) Parking for Services in Kind (PWT00025)
- (ii) Correspondence dated January 21, 2000 from Mr. P. Simmons respecting CP Rail Yard – Longwood Road and Aberdeen Avenue
- (iii) Correspondence dated January 25, 2000 from L. Pomerantz, Earth Day Hamilton Co-ordinator, respecting 2000 Reuse-a-rama event

Note: The meeting of the Transport and Environment Committee adjourned at 11:05 a.m.

Respectfully submitted

**Alderman C. Collins, Chairman
Transport and Environment Committee**

Carolyn Biggs
Legislative Assistant
January 31, 2000

CITY OF HAMILTON
2000 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME

**Transport and Environment
Committee**

- 6 -

Report 03-00

**Appendix "A" as referred to in
Section 2 of Report 03-00 of the
Transport and Environment Committee**

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
A. Roads and Abutting Sidewalks				
Adeline Avenue	Main	Britannia	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work 1999 carry over	\$500,000
Duncombe Avenue	Seven Oaks	Holt	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work 1999 carry over	\$340,000
East 33 rd Street	Fennell	Queensdale	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer work 1999 carry over	\$420,000
Edith Avenue	Broker	Nova	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional sewer and watermain work 1999 carry over	\$496,000
Ferndale Avenue	Dunkirk	Dundonald	-road reconstruction-sidewalk reconstruction-both sides - 1999 carry over	\$355,000
Hester Street	Upper James	Upper Wellington	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work - 1999 carry over	\$576,000
Stewartdale	Greenhill	Montrose	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work - 1999 carry over	\$500,000
West 1 st Street	Fennell	Richwill	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer and watermain work - 1999 carry over	\$700,000
		TOTAL A		\$3,887,000

B. Sidewalks Only

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
King Street	Rosewood	Parkdale	-sidewalk reconstruction-both sides -in conjunction with Regional work	\$169,000
Gledhill Crescent	Galt	Brigadoon	-sidewalk reconstruction-both sides	<u>\$173,000</u>
		TOTAL B		\$342,000

C. Miscellaneous

<u>DESCRIPTION</u>	<u>ESTIMATE</u>
Catch basin and drain connections in conjunction with Regional sewer projects	\$ 10,000
Pavement Management System - annual update	\$ 40,000
Streetlighting - various locations	\$ 300,000
Hot-in-place asphalt recycling - various locations	\$1,000,000
Tree planting in conjunction with reconstruction projects	<u>\$ 56,000</u>
TOTAL C	\$1,406,000
GRAND TOTAL	\$5,635,000

D. Supplementary List - Streets may be done in the order listed if residual funds are available

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Delevan Crescent	Seven Oaks	Seven Oaks	-road reconstruction-sidewalk reconstruction-both sides -in conjunction with Regional watermain work 1999 carry over	\$235,000
Ferguson Avenue	King William	Wilson	-road reconstruction-sidewalk reconstruction-both sides in conjunction with Regional watermain work	\$513,000
Laurier Avenue	South Bend	South Bend	-road reconstruction-sidewalk reconstruction-both sides	\$649,000
Laurier Avenue	Columbia	South Bend	-road reconstruction-sidewalk reconstruction-both sides-in conjunction with Regional watermain work	\$373,000
Cloverdale	Montrose	Dunkirk	-sidewalk reconstruction-both sides	\$ 84,000
Crane Court	whole court		-sidewalk reconstruction-both sides	\$ 94,000
Goldfinch Road	Bobolink	Jay	-sidewalk reconstruction-both sides	\$136,000
Kings Forest Avenue	Broker	Fennell	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer work	\$469,000
Martha Street	Lewis	Oriole	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional watermain work	\$445,000
Blair Avenue	Melvin	Martha	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional watermain work	\$354,000
Strathcona Avenue	King	York	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional watermain work	\$525,000
Rosedene Avenue	Upper James	Belvidere	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer work	\$428,000

D. Supplementary List - Streets may be done in the order listed if residual funds are available

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Wycliffe Avenue	Searle	Belvidere	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer work	\$311,000
Searle Street	Rosedene	Wycliffe	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer work	\$ 70,000
Wildewood Avenue	Brentwood	Kingslea	-road reconstruction-sidewalk reconstruction -both sides-in conjunction with Regional sewer work	\$252,000
Howard Avenue	South Bend	north end	-road reconstruction-sidewalk reconstruction -both sides	<u>\$249,000</u>
		TOTAL D		\$5,187,000

00 01 17

**Appendix "B" as referred to in
Section 4 of Report 03-00 of the
Transport and Environment Committee**

Ward 2

- (a) Staff has received a petition requesting that the existing full-time "One Hour Parking Time Limit" regulation on the south side of Forest between Wellington and Aurora be removed to allow unrestricted parking. The petition has been signed by representatives of eight of the eleven properties abutting the block, all of whom support the requested amendment.

Ward 3

- (a) Mr. Ogxton, 129 Afton Avenue, has requested that the reserved "Permit Parking" regulation on the north side of Afton in front of his home be removed, as his wife has passed away.
- (b) Mr. Joe Suter, 61 Niagara Street, has requested that a "No Stopping" driveway clearance be implemented on the west side of Niagara in the area of his business' driveway to facilitate turning movements of trucks accessing the auto yard.
- (c) Mr. Stanley Kruchka, 151 Avondale Street, has requested the implementation of a reserved "Permit Parking" regulation on both sides of Avondale, since he is disabled. Presently, there is an "Alternate Side Parking" regulation on Avondale. Mr. & Mrs. MacKinnon, 152 Avondale Street, have advised that they support the request.
- (d) Mr. Don Bilodeau, 17½ Primrose Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the north side of Primrose in front of his home, since he is disabled.
- (e) Ms. Mary Caissie, 14 Arthur Avenue North, has requested the implementation of a reserved "Permit Parking" regulation on the east side of Arthur in front of her home, since she is disabled.

PARKS AND RECREATION COMMITTEE



REPORT

CITY OF HAMILTON PARKS AND RECREATION COMMITTEE

REPORT 02-00 TO CITY COUNCIL

Monday, January 31, 2000

1:15 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman B. Morelli (Chairperson), Alderman M. Kiss (Vice-Chairperson), Aldermen R. Corsini, G. Copps, F. Eisenberger, T. Jackson, D. O'Sullivan

Regrets: Mayor R. M. Morrow (Civic Business)
Alderman T. Anderson (Regional Business)

Also Present: R. Fair, K. Duncliffe, G. Makins, W. Plessl, C. Guthro, L. Bourns, P. Barkwell, H. Kayal, A. Holmes, T. Agnello

Alderman B. Morelli, Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 02-00 AND RESPECTFULLY RECOMMENDS:

1. **Walker Pool Redevelopment - Additional Project Inclusion in 2000 Capital Budget (CSC00008) (Item 4)**
 - (a) That City Council approve the addition of the capital project "Walker Pool Redevelopment" to its previously approved 2000 Capital Budget program; and,
 - (b) That, if additional approvals are required, the project be referred to the Transition Board for consideration since it was not included in the approved 2000 Budget for capital projects; and,
 - (c) That the General Manager of Finance, upon receipt of required approvals, be authorized and directed to include the Walker Pool Redevelopment Project in the 2000 Capital Budget at a budgeted cost of \$477,250; and,

- (d) That staff be authorized to fast track hiring a consultant and commence the preparation of contract documents and tendering to complete the project during 2000; and,
- (e) That the Finance and Administration Committee be requested to identify the source of funding.

Noted for the information of City Council respecting Item 1:

A discussion ensued regarding other options which may have been considered regarding the outdoor pool. In response to a question, the General Manager, Community Services Division, advised that the project will be rescaled according to the amount of money available.

2. **Federation of Canadian Municipalities - Quality of Life Infrastructure Program Request for Municipal Support (CSC00007) (Item 5)**

- (a) That where initiatives support the municipality's long term Culture and Recreation Master Plan, Hamilton City Council support the inclusion of capital programs to renovate aged and core recreation facilities and to preserve heritage in the terms of reference for any future Federal Municipal Infrastructure Programs; and,
- (b) That His Worship, Mayor R. M. Morrow, be requested to express Council's support for Federal Municipal Infrastructure Program, inclusive of core recreation facilities renovations and heritage preservation, to the Prime Minister, the Right Honourable Jean Chretien; the Minister of Finance, the Honourable Paul Martin; the Minister of Canadian Heritage, the Honourable Sheila Copps; area Members of Parliament; and, the Federation of Canadian Municipalities.

3. **Award of Contract for the Construction of a Sun Shelter and Deck at the Waterfront Trail (PWT00031) (Item 6)**

- (a) That approval be given to issue a purchase order to TRP Construction, Burlington, in the amount of \$215,160 including \$20,000 contingency, plus \$13,661.20 G.S.T. for the construction of a sun shelter and deck at the Waterfront Trail, being the lowest of nine (9) tenders received in accordance with specifications C11-6499 issued by the Purchasing Division and vendors tender; and,

- (b) That the amount of \$228,821.20 for the construction of a sun shelter and deck be funded from the 2000 Hamilton Harbour Waterfront Trail Account COHAM 400043001; and,
- (c) That the Director of Legal Services and Corporate Counsel be requested to prepare a contract, and the Mayor and Municipal Clerk be authorized to execute the contract in a form satisfactory to Corporate Counsel.

4. Award of Contract for the Supply of Light Fixtures and Poles for the Waterfront Trail (PWT00033) (Item 7)

- (a) That approval be given to issue a purchase order to Wesco Distribution Inc., Hamilton, in the amount of \$329,349.34 including \$25,000 contingency, P.S.T. and G.S.T. for the supply of light fixtures and poles for the Waterfront Trail, being the lowest of nine (9) tenders received in accordance with specifications C11-6299 issued by the Purchasing Division and the vendors tender; and,
- (b) That the amount of \$329,349.34 for the supply of light fixtures and poles be funded from the 2000 Hamilton Harbour Waterfront Trail Account COHAM 400043001; and,
- (c) That the Director of Legal Services and Corporate Counsel be requested to prepare a contract, and the Mayor and Municipal Clerk be authorized to execute the contract in a form satisfactory to Corporate Counsel.

5. Festivals and Events Ontario Conference 2000 Education Forum - Sponsorship of Conference (CSC00005) (Item 9)

- (a) That a contribution in the amount of \$5,000 to Festivals and Events Ontario be authorized to assist in the presentation of their 2000 Educational Forum to be held in Hamilton from March 9-12, 2000 at the Hamilton Convention Centre; and,
- (b) That the Finance and Administration Committee recommend a method of financing.

6. **Hamilton Civic Golf Courses - 2000/2001 Operating Season Recommendations (Item 10)**

- (a) That Council affirm that the Hamilton Civic Golf Courses must operate free of tax subsidy, inclusive of annual operating costs, all capital costs and an assigned corporate overhead; and,
- (b) That the Director of Culture and Recreation be authorized and directed to negotiate a final one year extension to contracts with the existing Concessionaires and Golf Pro Manager at the Hamilton Civic Golf Courses expiring on December 1, 2000 in a form satisfactory to Corporate Counsel; and,
- (c) That full implementation of a seven day advance booking system at both Chedoke and Kings Forest Civic Golf Courses for adult member and green play only be authorized for the 2000 season; and,
- (d) That implementation of a 50/50 ratio of member to green fee booking times for weekend tee-offs be authorized for Chedoke and Kings Forest Civic Golf Courses; and,
- (e) That the number of junior memberships be capped at 1999 levels and that the Department of Culture and Recreation be encouraged to develop and operate a Summer Golf Camp in conjunction with the Golf Pro Managers; and,
- (f) That implementation of a twice monthly (one Saturday and one Sunday, on different weekends) member only shotgun tee-off system before 11:00 a.m. be authorized at Hamilton Civic Golf Courses for the 2000 season only, subject to review at year end; and,
- (g) That Hamilton Civic Golf Course fees, as outlined in Appendix "A" attached hereto, be approved for the 2000 season; and,
- (h) That the Director of Culture and Recreation be authorized and directed to proceed with the following actions for the 2001 golf season for Municipal Golf Courses as stipulated in the report of the General Manager of Community Services dated October 19, 1999:
 - (i) The contracting of a single Golf Pro Manager to provide specific services; and,
 - (ii) The tendering of the food and beverage function at Chedoke and Kings Forest Golf Course; and,

- (iii) The development of a Five-Year Business Plan for presentation to the Parks and Recreation Committee.

Noted for the information of City Council respecting Item 6:

The Committee adjourned into closed session to discuss matters of a personnel nature and reconvened immediately thereafter.

The Committee resolved that the recommendation, save and except subsection (c) be approved. Alderman Copps wished to be recorded as opposed.

A motion to add a further subsection was placed on the floor and defeated as follows:

" That a Staff bid be included in the proposal".

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest (Item 1)**

None declared.

(b) **Adoption of Minutes - January 25, 2000 (Item 2)**

That the Minutes of the meeting of the Parks and Recreation Committee held January 25, 2000 be adopted.

(c) **PRESENTATIONS (Item 3)**

Culture and Recreation Department - Staff Commendations

The following Staff of the Culture and Recreation Department were recognized and commended for their lifesaving rescues:

Roadside Lifesaving Rescue	-	Cathy Nametka
Lifesaving Rescue at Hill Park	-	Leanne Bates
	-	Sue Hamilton
	-	Tania Kras-Smye

Aquatic Rescue at Westmount - Rita Aker
- Cecile Santos
- Sylvia Fawcett
- Phillip Charles
- Laura Cooper

(d) Request for Authority to meet with Private Sector Proponents Interested in Constructing an Indoor Soccer Facility on City-owned lands (CSC00006) (Item 8)

- (a) That the Director of Culture and Recreation and the Commissioner of Public Works and Traffic be authorized to meet with private sector proponents interested in constructing an indoor soccer facility on city-owned lands; and,
- (b) That Staff be directed to report back to the Parks and Recreation Committee with details relative to this initiative by April, 2000.

Noted for the information of City Council respecting Item (d):

Alderman Copps wished to be recorded as opposed.

(e) Other Business (Item 11)

Special Meeting of the Parks and Recreation Committee - February 8, 2000

The Committee agreed that a Special Meeting of the Parks and Recreation Committee would be held on Tuesday, February 8, 2000 at 6:00 p.m. prior to City Council, to deal with Staff reports respecting King's Forest Golf Course and the Red Hill Creek Expressway.

Note: The meeting of the Parks and Recreation Committee adjourned at 2:45 p.m.

Respectfully submitted,

**Alderman B. Morelli, Chairperson
Parks and Recreation Committee**

**Tina Agnello, Legislative Assistant
January 31, 2000**

Appendix "A" as referred to
in Section 6(g) of Report 02-00
of the Parks and Recreation Committee

HAMILTON CIVIC GOLF COURSES - 2000 PROPOSED RATES AND FEE										
A. SEASONAL RATES:										
CATEGORY	CHEDOKE BOTH	CHEDOKE MARTIN	CHEDOKE BEDDOE	KINGS FOREST	ALL COURSE					
Rates include GST	1999	2000	1999	2000	1999	2000	1999	2000	1999	2000
ADULT	\$1,102	\$1,152	\$677	\$730	\$945	\$985	\$1,102	\$1,150	\$1,265	\$1,315
ADULT NON-RESIDENT	\$1,265	\$1,315	\$820	\$870	\$1,100	\$1,150	\$1,265	\$1,315	\$1,500	\$1,550
COUPLES	\$2,100	\$2,150	\$1,250	\$1,300	\$1,785	\$18,335	\$2,100	\$2,150	\$2,310	\$2,360
COUPLES-NON-RESIDENT	\$2,310	\$2,360	\$1,420	\$1,470	\$1,980	\$2,030	\$2,310	\$2,360	\$2,760	\$2,810
FAMILY	\$2,257	\$2,307	\$1,407	\$1,457	\$1,985	\$2,045	\$2,205	\$2,250	\$2,685	\$2,745
FAMILY-NON-RESIDENT	\$2,475	\$2,525	\$1,585	\$1,635	\$2,200	\$2,250	\$2,420	\$2,470	\$3,080	\$3,110
JUNIOR	\$300	\$350	\$200	\$250	N/A	N/A	\$300	\$350	\$385	\$435
JUNIOR - NON-RESIDENT	\$385	\$435	\$275	\$325	N/A	N/A	\$385	\$435	\$540	\$580
INTERMEDIATE	\$662	\$790	\$420	\$485	\$567	\$685	\$662	\$790	\$759	\$895
INTERMEDIATE-NON-RESIDENT	\$803	\$970	\$550	\$635	\$705	\$850	\$805	\$970	\$948	\$1,135
PENSIONER (weekday)	\$740	\$790	\$435	\$485	\$635	\$685	\$740	\$790	\$845	\$885
PENSIONER-NON-RESIDENT	\$918	\$970	\$583	\$635	\$803	\$850	\$918	\$970	\$1,086	\$1,135
WEEKDAY	\$772	\$822	\$452	\$500	\$662	\$710	\$772	\$820	\$885	\$935
WEEKDAY - NON-RESIDENT	\$918	\$970	\$583	\$630	\$803	\$850	\$918	\$970	\$1,086	\$1,135
B. GREEN FEES										
WEEKDAY 18 HOLES	N/A	N/A	\$28	\$29	\$32	\$33	\$35	\$37	N/A	N/A
WEEKEND 18 HOLES (Fri, Sat, Sun & Stat. Hol.)	N/A	N/A	\$30	\$31	\$35	\$37	\$40	\$42	N/A	N/A
PENSIONER/JUNIOR*	N/A	N/A	\$21	\$22	\$25	\$26	\$28	\$29	N/A	N/A
TWILIGHT - 18 HOLES	N/A	N/A	\$19	\$20	\$23	\$24	\$25	\$28	N/A	N/A
SEASONAL RATES: PLAN "B"										
	ADULT	2000	COUPLE		FAMILY		JUNIOR	INTERMEDIATE	PENSIONER	WEEKDAY
	1999	2000	1999	2000	1999	2000	1999	2000	1999	2000
Hamilton Residents-City Wide	\$368	\$420	\$683	\$730	\$1,103	\$1,150	\$105	\$200	\$263	\$310
Non-Residents-City Wide	\$485	\$545	\$825	\$875	\$1,265	\$1,315	\$220	\$300	\$385	\$435
PLAN "B" NOTES:										
- pay a reduced initial seasonal fee plus an outing fee each time you play. - 7 or 5 day (5 day pass restricted from weekends & holidays). - full seasonal privileges. - Ideal for the once a week player. - Outing fee (50% green fees) dependent on course and time of play.										

SEASONAL NOTES:

- 5 day/Pensioner-Mon-Fri excluding weekends & holidays
- Intermediate Age: 20 years & under
- Junior Age: 17 years & under
- Junior members are subject to the following restricted playing times at all courses: Mon-Fri 10am-closing & Sat, Sun & holidays, 12pm to closing
- Family rate criteria is: two adults in a family relationship & dependents 20 & under of the same family.
- All seasonal passes include OGA/CLGA handicapper membership cards - Game fee \$20. Extra

GREEN FEE NOTES:

- *Monday-Friday only (excluding holidays)
- Twilight hours both weekdays & weekends after 4:00 p.m. (Twilight hrs. move ahead towards later part of the season).

**PLANNING & DEVELOPMENT
COMMITTEE**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

REPORT 03-00 TO CITY COUNCIL

Wednesday, February 2, 2000

9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Regrets: Mayor R. M. Morrow (Civic Business)

Also Present: Alderman Horwath, Alderman B. Morelli, L. Coveyduck, G. Paparella, P. Mason, J. Hickey-Evans, A. Zuidema, T. Redfern, M. Mascarenhas, H. Kayal, R. Fair, K. Duncliffe, E. Switinky, E. Chajka, R. Foulds, C. Bian T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

YOUR COMMITTEE PRESENTS REPORT 03-00 AND RESPECTFULLY RECOMMENDS:

1. Authorization for Staff Attendance, OMB Hearing - 66 Mall Rd. (PDC00018)

That the appropriate staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-99:216, respecting property located at No. 66 Mall Road, as shown on attached map marked as APPENDIX "A".

2. Removal of the Holding Zone for lands at 723 Rymal Rd. W. (PDC00024)

- (a) That approval be given to Zoning Application ZAR-99-37, Jomar Developments Corporation Inc., owner, for the removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act to allow for the development of the subject lands for a "Community Care Access Centre" for lands located south of Rymal Road West, east of Glancaster Road and known municipally as 723 Rymal Road West, as shown on the attached map marked as APPENDIX "B"; and,
- (b) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-3 for presentation to City Council.

3. Special Legislation- Protection of Rental Housing Stock (PDC00020)

- (a) That the staff of the Community Planning and Development Division and the Legal Services Department be directed to request Special Legislation to protect the supply of rental housing stock in the City of Hamilton.
- (b) That the Municipal Clerk be requested to forward Council's resolution to the City of Toronto and the Region of Ottawa Carleton

For the information of City Council respecting Item 3:

The Committee adjourned into closed session to discuss matters of potential litigation and reconvened immediately thereafter with the abovenoted report.

Alderman Copps and Alderman Charters were recorded as opposed.

Prior to that, a motion was placed on the floor to deny the recommendation and was defeated.

4. West 5th Area Stormwater / Infrastructure Study (PDC00027)

- (a) That, pursuant to the request of the Community Services Division, Council direct the Community Planning and Development Division to initiate a Stormwater/Infrastructure Study for the West 5th Area in accordance with the planning process established in the "Class Environmental Assessment

for Municipal Water and Wastewater Projects".

- (b) That the General Manager, Community Planning and Development be authorized to engage consultants to provide project management, studies and reports to an upset limit of \$175,000.00
- (c) That the General Manager, Finance, be directed to identify a source of funding for this study and establish the appropriate accounts.

For the Information of City Council respecting item 4:

A discussion ensued regarding the fact that this project was not included in the Capital Budget deliberations.

A motion was placed before the Committee to table the matter pending completion of negotiations regarding the recreational Proposal for William Connell Park and was defeated.

Alderman Copps was opposed to the main motion.

5. American Planning Association Conference, April 15-19, 2000

- (a) That the Chairman or his designate and 2 other members of the Planning and Development Committee be authorized to attend the APA Conference in New York, April 15-19, 2000: and
- (b) That cost for attendance is allocated to Alderman's Travel Account No. COHAM 56325 300120.

For the Information of City Council respecting item 5:

This item was introduced verbally as an added item in order to meet the Conference registration deadline and not incur additional costs.

6. Bills:

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

- (a) C-02 A By-law to Amend By-law No. 6593 As Amended by Bylaws No. 73-

115 and 81-28 Respecting Lands Located at Municipal Nos. 24 and
30 Hess Street South.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

**(b) Adoption of Minutes - January 12, 2000 (Item 2.1)
- January 19, 2000 (Item 2.2)**

The Minutes of the meetings held January 12, 20 and January 19, 2000
were adopted.

(c) Change in Zoning for 334 East 14th Street (PDC00019)(item 3.2)

Following brief discussion The Committee deferred the matter to in camera
discussion and reconvened with the following report:

That the item be tabled pending the outcome of the OMB hearing.

**(d) Additions to inventory- Buildings of Architectural/Historical
Significance: 195 & 197-199 King William Street (PDC00010) (Item 3.4)**

That the adjoining commercial properties at 195 and 197-199 King William
Street be added to the City's Inventory of Buildings of Architectural and/or
Historical interest.

(e) Appointment to Historical Board (Item 3.5)

That Mr. Brian Henley be appointed as the LACAC's representative on the
Historical Advisory Board.

(f) Information Items (Item 3.6)

That the following Information Items as previously distributed to Members of
the Planning and Development Committee be received:

- (i) Acting Commissioner, Public Works and Traffic re: Downtown
Hamilton BIA, Revised Board of Management, dated January 12,
2000**

- (ii) General Manager, Community Planning and Development Division
re: 195 Ferguson Avenue North, Implementation of Wesley OMB
Decision- 6th Report, dated January 25, 2000

(g) Referral From Council (Item 4)

Correspondence from the Committee of the Whole re: BIA Capital Improvements was tabled.

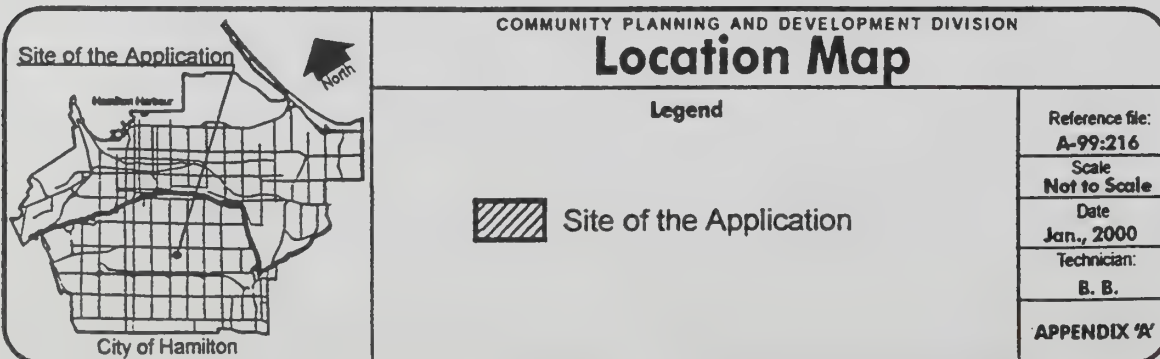
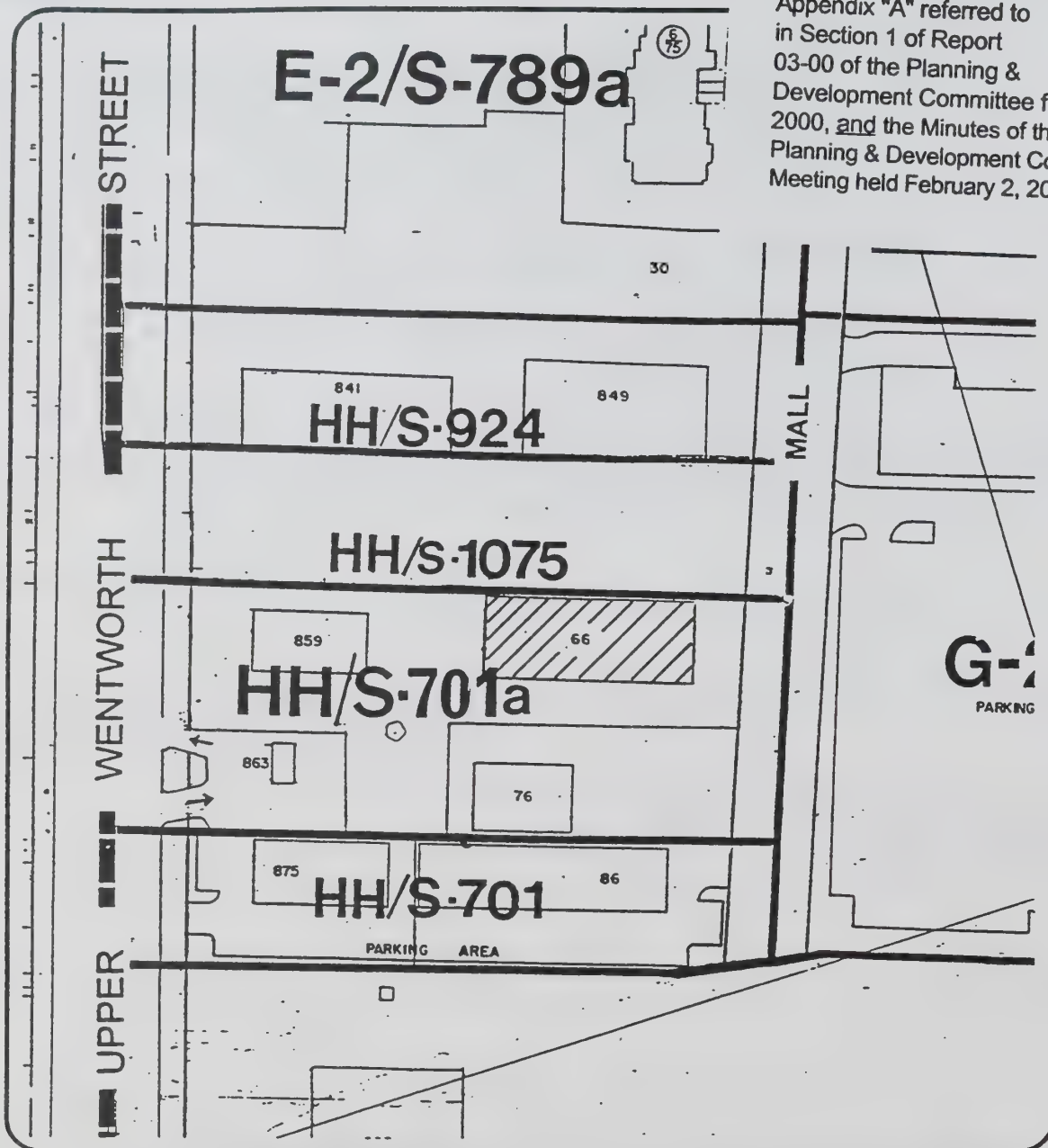
Note: The meeting of the Planning and Development Committee adjourned at 10:40 a.m.

Respectfully submitted,

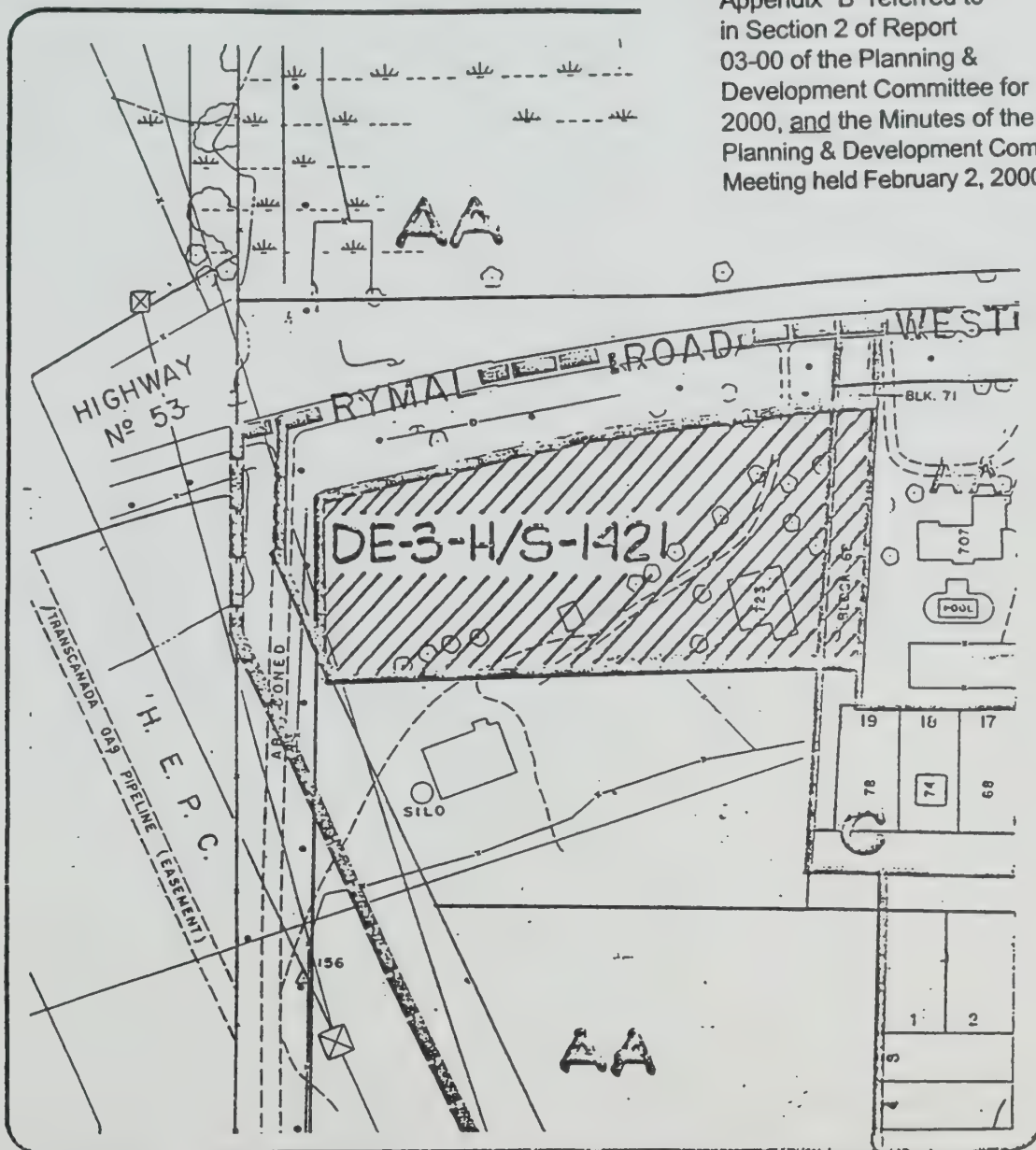
**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
February 2, 2000**

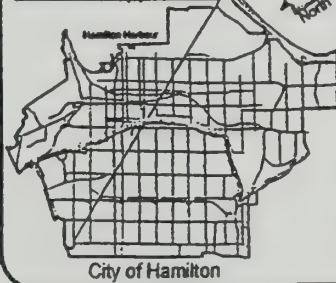
Appendix "A" referred to
in Section 1 of Report
03-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held February 2, 2000.



Appendix "B" referred to
in Section 2 of Report
03-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held February 2, 2000.



Site of the Application



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



Further modification in Zoning from
"DE-3-H" (Multiple Dwellings) District, modified
to "DE-3" (Multiple Dwellings) District.

Reference file:

ZAH-00-37

Scale

Not to Scale

Date

Dec., 1999

Technician:

L. B.

APPENDIX 'A'

FINANCE & ADMINISTRATION
COMMITTEE



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Report 03-00 TO CITY COUNCIL

Tuesday, February 1, 2000

9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:	City Finance and Administration Committee Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly
Regrets:	Mayor R. Morrow - City business Region Finance and Administrative Services Committee Councillor B. Charters (Chairman), Councillor G. Etherington (Vice-Chairman), Regional Chairman T. Cooke, Councillors D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, A. Bain, M. Caplan
Regrets:	Councillor A. Sloat - personal business
Also present:	Councillors D. Mitchell, R. Corsini D. Lychak, G. Paparella, L. Coveyduck, R. Fair, B. Desnoyers, Fire Chief G. Peace, J. Bruzzese, A. Ross, J. Spiler, L. Bourns, Susan K. Reeder
Alderman D. Wilson, Chairman called the meeting to order.	

**YOUR COMMITTEE PRESENTS REPORT 03-00 AND RESPECTFULLY
RECOMMENDS:**

1. **City Development Charges - Public Meeting regarding By-law Amendments (FIN00007)(Item 12)**

- (a) That a Public Meeting be held in accordance with the Development Charges Act to hear representations regarding the following proposed amendments to the City of Hamilton's Development Charges By-law 99-118, such amendment to come into force as of August 11, 1999:
 - (i) That the scope of the by-law described in section two of the By-law be revised by including the "downtown area" bounded by Queen Street, Cannon Street, Victoria Avenue and Hunter Street, such that the By-law shall apply to this previously exempted area of the City;
 - (ii) That development within the said "downtown area" shall be exempt from all residential and non-residential development charges, subject to the following rate which shall apply to such "downtown area"; a new residential rate classification "Residential Facilities" containing two or more units for residential accommodation, which units do not have self contained kitchens and are with or without self contained bathrooms, shall be charged a rate to be calculated at the rate of 30 cents per square foot. Such classification shall not include Single/Semi Buildings, Multiples and Apartments as defined in the By-law, as well as hospitals, tourist homes, hotels and motels;
 - (iii) That development charges for residential development be exempted in the area of the City bounded by Queen Street, the Escarpment, Victoria Avenue, and Hamilton Harbour; save and except for the Residential Facilities rate authorized in the preceding provision, which rate shall apply to the said "downtown area" which is bounded by Queen Street, Cannon Street, Victoria Avenue and Hunter Street;
 - (iv) That non-profit housing developments carried out by a "non-profit housing organization" as defined below, where capital costs are not in part or whole funded by senior levels of government, be exempted from Development Charges.

A "non-profit housing organization" is a company incorporated as a not-for-profit housing corporation or as a non-profit housing co-operative or municipal non-profit housing corporation under federal or provincial legislation, which has as its main "object" clause, the following: to provide and operate housing accommodation and incidental facilities primarily for persons of low and moderate

income. The Letters Patent/Articles of Incorporation of such company shall also provide that "The corporation's activities shall be carried on without the purpose of gain for its members and any profit or accretion to the Corporation shall be used in promoting its objects".

- (v) That the following additional classification be added to the classes of development exempted from all Development Charges:

"universities recognized by the Province in the University Expropriation Powers Act RSO 1990 chap U.3"

- (b) That staff be authorized and directed to advertise a Development Charges Public Meeting of the Finance and Administration Committee to be held on Tuesday, March 7, 2000 at 11:00 a.m.

2. Conversion of six (6) Pumpers to Rescue Pumpers with foam capabilities (CSC00008)(Item 13)

- (a) That, in accordance with the Hamilton Fire Department Business Plan and as a result of a tender process conducted as per the City Purchasing Policy, a purchase order in an amount not to exceed \$311,620.23 including all applicable taxes be issued to Dependable Emergency Vehicles, Brampton, Ontario, the low acceptable bidder, for the conversion of six (6) pumpers to rescue pumpers with foam capabilities; and,
- (b) That this expenditure be financed from Capital Account COHAM58550-489651026; and,
- (c) That the Mayor and Municipal Clerk be authorized and directed to execute a contract in a form satisfactory to the City Solicitor.

3. Purchase of Two (2) Multi-Tasking 100' Prepiped Aerial Ladder Pumper Trucks (CSC00009)(Item 14)

- (a) That, in accordance with the Hamilton Fire Department Business Plan, the approved 2000 Capital Plan and as a result of tender process conducted in accordance with City Purchasing Policy, a purchase order be issued to the lowest acceptable bidder, Smeal Fire Apparatus Co., Nebraska U.S.A. for the purchase of Two (2) Multi-Tasking 100' Prepiped Aerial Ladder Pumper Trucks in an amount not to exceed \$1,662,135.92 (Cdn. Funds) inclusive of all applicable taxes, PST exempt; and

- (b) That this purchase be charged to the following accounts - Capital Account COHAM58550-489851036; the Motorized Vehicle Reserve (0101); and the Vehicle and Equipment Repairs and Replacement Reserve (0103); and
- (c) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary contract for this purchase in a form satisfactory to the Municipal Solicitor; and
- (d) That City Council approve the adoption of the internationally recognized colour of red for Hamilton Fire Department apparatus with implementation to occur when vehicles are refurbished and when vehicles are replaced.

4. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-04 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest (Item 1)**

None declared.

(b) **Review of the Mandate and Operations of the Hamilton Downtown Partnership (Item 6)(Item 6.1)**

Alderman A. Horwath, on behalf of the Executive of the Hamilton Downtown Partnership, spoke to the Committee and advised that the Partnership is Undergoing its own analysis of its role and direction and that discussions are Taking place with all parties. The Committee agreed that this Item be placed Back on the Agenda of the Joint Meeting Session no later than the end of May 2000 with a report back from the Hamilton Downtown Partnership on the Outcome of the Analysis.

(c) **Adoption of Minutes- Joint Meeting Session - January 18, 2000 (Item 7)**

That the minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on January 18, 2000 be adopted.

(d) **Information Items (Item 8)**

That the following items previously distributed under separate cover, be received:

Joint Committees

- (a) Information Report - General Manager, Human Resources - Holiday Closure - 2000 (C00100/HUR00001)

City Finance and Administration Committee

- (b) Information Report - General Manager, Community Services - Hamilton Fire Station No. 8 - Renovations and Expansion Construction Contract Award (CSC00003)

- (c) Information Report - General Manager, Finance - Tax Billing and Collection System (FIN00010)

(e) **Minutes of the Special Meeting of the Finance and Administration Committee held on Tuesday, January 25, 2000 (Item 11)**

That the minutes of the Special Meeting of the Finance and Administration Committee meeting held on Tuesday, January 25, 2000 be adopted.

(f) **Lakeland Pool 1997 Deficit**

The Committee agreed to receive and take no action with respect to the requested Information Report of the General Manager, Finance (FIN00011) respecting the Lakeland Pool Outstanding 1997 deficit.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 10:45 a.m.

Respectfully submitted,

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
February 1, 2000**



BILLS

CITY OF HAMILTON CITY COUNCIL

**Tuesday, February 8, 2000
7:30 p.m.**

**Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton**

A-05 A By-law to Amend Traffic By-law No.89-72 to Regulate Traffic.

A-06 A By-law to Amend Traffic By-law No.89-72 to Regulate Traffic.

**C-02 A By-law Respecting Lands Located at Municipal Nos. 24 and 30
Hess Street South.**

**D-04 A By-law to Confirm the Proceedings of the Council of the
Corporation of the City of Hamilton.**

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 25 (Parking Time Limits)** of By-law 89-72, as amended, is hereby further amended by deleting therefrom the following item, namely:-

"Forest	South Wellington to Aurora	1 hr	8 am - 8 am	Mon-Sun"
			(24 hrs)	

2. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Arthur	East	commencing 138 feet north of King and extending 20 feet northerly therefrom	Anytime
---------	------	--	---------

Avondale	West	commencing 156 feet north of Beechwood and extending 16 feet northerly therefrom	Anytime
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Avondale	East	commencing 144 feet north of Beechwood and extending 18 feet northerly therefrom	Anytime
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Primrose	North	commencing 44 feet west of Avondale and extending 17 feet westerly therefrom	Anytime
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and by deleting therefrom the following item, namely:-

"Afton	North	commencing 95 feet east of Balsam and extending 20 feet easterly therefrom	Anytime
--------	-------	---	---------

3. In all other respects By-law 89-72 and all Schedules thereto, as amended, is hereby confirmed unchanged.

4. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 8th day of February, 2000.

MUNICIPAL CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 2 (Lower Speeds on Certain Highways)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Lake	Queenston	Barton	40"
-------	-----------	--------	-----

2. That **Schedule 29 (No Stopping Areas - No Stopping Anytime)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Niagara	West	commencing 155 feet north of Brant and extending 47 feet northerly therefrom	Anytime"
----------	------	---	----------

3. In all other respects, By-law 89-72 and all Schedules thereto, as amended, is hereby confirmed unchanged.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 8th day of February, 2000.

MUNICIPAL CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 00-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-laws No. 73-115 and 81-28

Respecting:

**LANDS LOCATED AT
MUNICIPAL NOS. 24 and 30 HESS STREET SOUTH**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 73-115 on the 10th day of April 1973 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "E-3" District, in respect of the land located at Municipal Numbers 11, 13, 15, 19, 24, 25, 27, 29 and 30 Hess Street South and 78, 80, 82, and 84 George Street and 263 and 267 King Street West, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 15th day of August 1973, (File No. R 73887);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 81-28 on the 13th day of January 1981 to clarify the special requirements of By-law No. 73-115, under Section 19B of Zoning By-law No. 6593, for the "E-3" District, in respect of the lands located at Municipal Numbers 11, 13, 15, 19, 24, 25, 27, 29 and 30 Hess Street South and 78, 80, 82, and 84 George Street and 263 and 267 King Street West, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 18th day of March 1981, (File No. R 81544);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 2 of the 17th Report of the Planning and Development Committee at its meeting held on the 28th day of September 1999 and Section 4 of the 18th Report of the Planning and Development Committee at its meeting held on the 12th day of October 1999, recommended that Zoning By-law No. 6593, as amended by By-laws No. 73-115 and 81-28, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "E-3" (High Density Multiple Dwellings) District provisions, as contained in Section 11C. of Zoning By-law No. 6593, as amended by By-law No. 73-115 and By-law No. 81-28 applicable to Block "1" (24 Hess Street South), the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 1 of By-law No. 73-115, any alteration, extension or enlargement from the southerly side wall and westerly rear wall of the existing building shall be permitted and shall be permitted to be used as a restaurant; and,

- (b) Section 11C. (2)(b) and (c) of Zoning By-law No. 6593 shall not apply; and,
- (c) notwithstanding Section 11C.(3) of Zoning By-law No. 6593, the lot shall have a minimum lot width of 12.0 metres and a minimum lot area of 240.3 square metres; and,
- (d) Section 11C. (5) of Zoning By-law No. 6593 shall not apply; and,
- (e) Section 18. (3)(vi) of Zoning By-law No. 6593 shall not apply to the southerly side yard and the westerly rear yard; and,
- (f) notwithstanding Section 18.(11)(a) and (b) of Zoning By-law No. 6593, an outdoor patio shall be permitted subject to the following special requirements that:
 - (i) No outdoor patio area shall provide for a seating accommodation for more than 142 persons; and,
 - (ii) An outdoor patio shall be permitted to be located where the lot lines adjoin the residential district to the south and the west; and,
 - (iii) An outdoor patio area may be located at grade and at the floor elevation of the first and second storey of the building; and,
- (g) notwithstanding Sections 1.(a)(iii) and 2.(b) By-law No. 73-115, as amended by By-law No. 81-28, the accessory use of signs shall be further amended as follows:
 - (i) one ground sign and one wall sign or projecting sign shall be permitted and the total area of the two signs shall not be greater than 0.8 square metre (8.6 square feet).

2. That the "E-3" (High Density Multiple Dwellings) District provisions, as contained in Section 11C. of Zoning By-law No. 6593, as amended by By-law No. 73-115 and By-law No. 81-28 applicable to Block "2" (30 Hess Street South), the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the following special requirements that,

- (a) notwithstanding Section 1 of By-law No. 73-115, any alteration, extension or enlargement from the northerly and southerly side walls and westerly rear wall of the existing building shall be permitted and shall be permitted to be used as a restaurant; and,
- (b) Section 11C. (2)(b) and (c) of Zoning By-law No. 6593 shall not apply; and,
- (c) notwithstanding Section 11C. (3) of Zoning By-law No. 6593, the lot shall have a minimum lot width of 13.2 metres and a minimum lot area of 266.1 square metres; and,
- (d) Section 11C. (5) of Zoning By-law No. 6593 shall not apply; and,
- (e) Section 18. (3)(vi) of Zoning By-law No. 6593 shall not apply to the southerly and northerly side yards and the westerly rear yard; and,

- (f) notwithstanding Section 18.(11)(a) and (b) of Zoning By-law 6593, an outdoor patio shall be permitted subject to the following special requirements that:
- (i) No outdoor patio area shall provide for a seating accommodation for more than 220 persons; and,
 - (ii) An outdoor patio shall be permitted to be located where the lot lines adjoin the residential district to the north and the west; and,
 - (iii) An outdoor patio area may be located at grade, on a raised area above grade, at the floor elevation of the first and second storeys of the building and over the roofed-over and unenclosed front porch; and,
- (g) notwithstanding Sections 1.(a)(iii) and 2.(b) of By-law No. 73-115, as amended by By-law No. 81-28, the accessory use of signs shall be further amended as follows:
- (i) one wall sign or projecting sign shall be permitted and the total area of the one sign shall not be greater than 1.4 square metres (15 square feet); and,
 - (ii) the one sign shall be permitted to be used for business identification of the adjoining property at 24 Hess Street South.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-3" District provisions, subject to the special requirements referred to in sections 1 and 2 of By-law No. 73-115, as amended by sections 1 and 2 of By-law No. 81-28 and sections 1 and 2 of this by-law.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-262b.

5. Sheet No. W-4 of the District Maps is amended by marking the lands referred to in sections 1 and 2 of this by-law, S-262b.

6. In all other respects, By-laws No. 73-115 and 81-28, are hereby confirmed, unchanged.

7. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 8th day of February A.D. 2000

MUNICIPAL CLERK

MAYOR

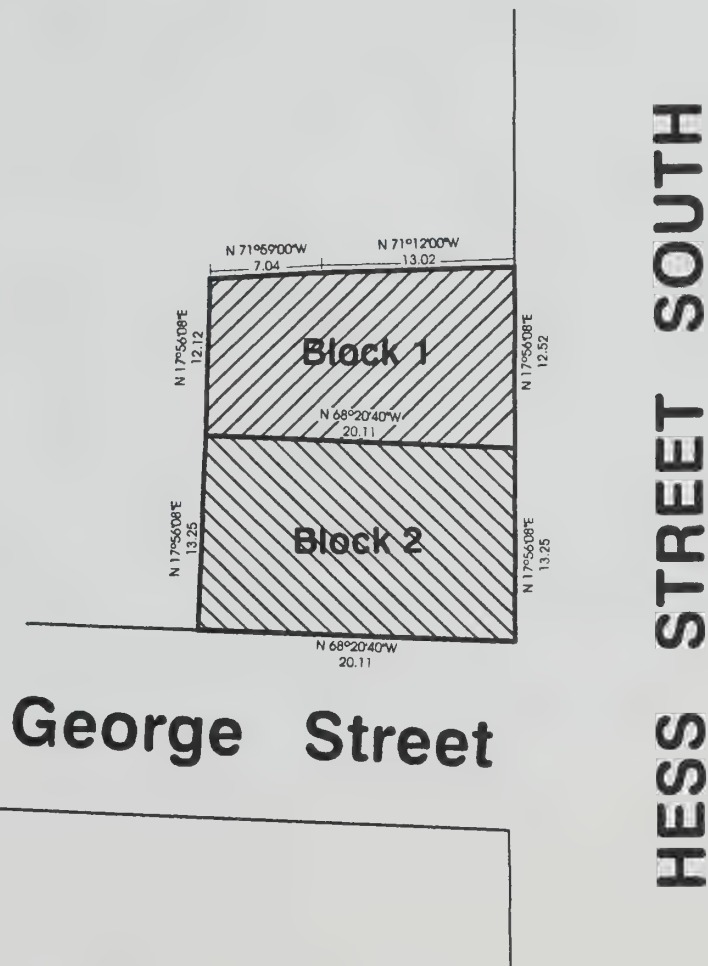
(1999) 17 R.P.D.C. 2, September 28

(1999) 18 R.P.D.C. 4, October 12

Jo-Ank Associates Ltd. and

Tarador Holdings, Owners

ZAC-99-30



George Street

HESS STREET SOUTH

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 00-.....
Passed the day of, 2000.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 00-.....

Community Planning and Development Division

Legend

Block 1



Further modification to the "E-3" (High Density Multiple Dwellings) District, modified

Block 2



Further modification to the "E-3" (High Density Multiple Dwellings) District, modified

North



Scale
Not to Scale

Date
January, 2000

Reference File No.
ZAC-99-30

Drawn By
D.L.

BY-LAW NO. 00-

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 8TH DAY OF FEBRUARY, 2000.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 8th day of FEBRUARY

A.D. 2000

MUNICIPAL CLERK

MAYOR

CAY ON HBL AOS
A31
2000



AGENDA

CITY OF HAMILTON CITY COUNCIL

Tuesday, February 29, 2000
7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Hamilton Public Library
Urban/Municipal Collection
2nd Floor, 55 York Boulevard
Hamilton, Ontario L8K 3K1

1 BILL

URBAN MUNICIPAL

J. J. Schatz
Municipal Clerk

FEB 29 2000

CALL TO ORDER

GOVERNMENT DOCUMENTS

1. NATIONAL ANTHEM

2. OPENING PRAYER: Rev. Kristine Swire
St. Paul's Anglican Church (Mount Hope)

3. PRESENTATIONS:

- (a) Mair Davies -Welsh flag being presented to the Mayor
- (b) Laura Babcock & Dennis Concordia - Safe Communities Coalition

CERTIFICATES OF RECOGNITION:

- (a) Bantam Bengals - Hamilton Lacrosse Association
- (b) 1999 Provincial "C" Division Champions

- * Meet as Nominating Committee – Appointment of Chairman of the Committee of the Whole for March, April and May.

4. ADOPTION OF MINUTES:

- 4.1 February 8, 2000 (regular)
- 4.2 February 8, 2000 (special)
- 4.3 February 11, 2000 (special)
- 4.4 February 23, 2000 (special)

- 5. CORRESPONDENCE**
- 6. REPORTS OF THE STANDING COMMITTEES:**
 - 6.1 Transport and Environment Committee – Report 04-00**
 - 6.2 Planning and Development Committee – Report 04-00**
 - 6.3 Finance and Administration Committee – Report 04-00**
 - 6.4 City of Hamilton Licensing Committee – Report 02-00**
 - 6.5 Nominating Committee – Report 02-00**
- 7. NOTICE OF MOTION FOR NEXT MEETING**
- 8. APPOINTMENT OF ACTING MAYOR FOR THE MONTH OF MARCH, 2000**
- 9. QUESTION PERIOD**
- 10. ADJOURNMENT**

MINUTES



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, February 8, 2000

7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, G. Copps, D. Wilson, C. Collins, F. Eisenberger, T.
Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico, D.
O'Sullivan

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend L. J. Cowper, Central Presbyterian Church, led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a cheque to Stella Woock and Irina Aoucheva for their organization – Inner City Ballet Hamilton.

Mayor R. M. Morrow acknowledged Robin Ozolins for winning the 1999 Canadian National Junior Prone Sporting Rifle Championship.

Mayor R. M. Morrow presented a Certificate of Recognition to Michael Serbinis – DocSpace Company Inc. for his technology in the security of computers.

Mayor R. M. Morrow presented a Certificate of Recognition to Tom Theos of the Old Magill House Restaurant.

ADOPTION OF MINUTES

The Minutes of the meeting held January 25, 2000 were adopted as circulated.

CORRESPONDENCE

1. Application dated February 3, 2000 from 1242334 Ontario Inc. 336 Shaver Road, R.R. #1, Jerseyville, Ontario for a further modification to the "H" (Community Shopping and Commercial, etc.) District modified for 330 and 342 Dundurn Street South, Hamilton, Ontario.

Received.

2. Mayor R. Morrow presented a Communique dated February 7, 2000 from FCM respecting "Homelessness, the Environment and Transportation Infrastructure as Top Priorities in Canadian Communities as presented to the Prime Minister by the Mayor's of Canada's Largest Cities as well as a newspaper article on the subject.

Received.

3. Mayor R. Morrow presented a newspaper article on Infrastructure.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Horwath in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 03-00**Section 1 Re: Speed Limits in a School Zone – Lake Avenue**

It was moved by Alderman Wilson and seconded by Alderman Collins that Section 1 of the Report 03-00 of the Transport and Environment Committee be amended by adding the words “on a trial basis until the Sub-Committee reports back” following the word enacted in Section “(a)”. **CARRIED.**

Rule No. 9 Re: Parking Regulations

It was moved by Alderman Collins and seconded by Alderman Caplan that Rule 9 of the City’s Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting Parking Regulations on Barton Street West, between Magill Street and Greig Street, Hamilton. **CARRIED.**

Section 7 Re: Barton Street West, between Magill Street and Greig Street – Parking Regulations

It was moved by Alderman Collins and seconded by Alderman Caplan that the following be added as Section 7 of Report 03-00 of the Transport and Environment Committee:

7. Barton Street West, between Magill Street and Greig Street – Parking Regulations

- (a) That the existing full-time “No Parking” regulation on the north side of Barton Street West, between Magill Street and Greig Street, be removed; and,
- (b) That a full-time “No Parking” regulation be implemented on the north side of Barton Street, commencing at a point 60 feet east of Ray Street North and extending to a point 60 feet easterly therefrom; and,
- (c) That the City Traffic By-law 89-72 be amended accordingly. **CARRIED.**

PARKS AND RECREATION COMMITTEE – REPORT 02-00**Section 1 Re: Walker Pool Redevelopment – Additional Project Inclusion
in 2000 Capital Budget**

It was moved by Alderman Anderson and seconded by Alderman Morelli that Section 1 of Report 02-00 of the Parks and Recreation Committee be referred back. **CARRIED.**

Section 6 Re: Hamilton Civic Golf Courses

It was moved by Alderman Jackson and seconded by Alderman Morelli that Section 6 of Report 02-00 of the Parks and Recreation Committee respecting the Hamilton Civic Golf Courses be amended by deleting the second sentence in the Note Section and replacing it with the following:

“Sub-Section (c) in the report of the Sub-Committee to Review Golf Course Recommendations dated January 25, 2000 was defeated on a 4-3 vote. Aldermen Kiss, Copps, Morelli and Jackson were recorded as opposed. The amended motion with Sub-Section (c) deleted, was adopted. Alderman Copps was recorded as opposed to the motion as amended.” **CARRIED.**

PARKS AND RECREATION COMMITTEE – REPORT 03-00**Section 1 (b) and (d) King Forest Golf Course****Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 03-00

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 03-00**Rule No. 9 Re: Accommodation Issues**

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a motion respecting accommodation issues. **CARRIED.**

* * * * *

Section 5 Re: Accommodation Issues

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 5 of Report 03-00 of the Finance and Administration Committee:

5. Accommodation Issues (CM00004)

- a) That short-term accommodation needs be met by undertaking the following:
 - i) Utilize the Region's Court House, Eaton's Phase 2 space, Hamilton Hydro Building, and Wentworth Street Transit Centre;
 - ii) Terminate the lease at 25 Main St. W. – Social and Public Health Services Division functions to 35 King St. E. and Human Resources to the Court House;
 - iii) Not renew the lease at 110 King St. W., which expires on May 31, 2000, and relocate Finance and Corporate Services to the Court House;
- b) That relocations, as outlined on Appendix A, be financed through surpluses in operating budgets and corporate savings resulting from reduction in leasing costs and the remaining surplus be transferred to accommodation reserve;
- c) That existing furniture be reused where ever possible and renovations be minimized; and
- d) That the Director of Facilities Management report back to the finance and Administrative Services Committee on the final savings and costs, once all of the relocations have been completed."

Section 5 Accommodation Issues – Housing Department

Subsequently, it was moved by Alderman Charters and seconded by Alderman Anderson that Section 5 of Report 03-00 of the Finance and Administration Committee be amended by adding the following as Sub-Section (e):

- e) That any move of the Housing Division presently located at 25 Main Street West be tabled. **CARRIED.**

Recorded vote on Section 5 as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –17.

NAYS: -0. **CARRIED.**

Note: The meeting adjourned at 8:50 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
February 8, 2000
JJS/dg**



MINUTES

CITY OF HAMILTON SPECIAL CITY COUNCIL

Tuesday, February 8, 2000

10:00 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Wilson, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly,
F. D'Amico.

Regrets: Alderman D. Haining - Civic Business
Alderman G. Copps - Other Business
Alderman D. O'Sullivan - Civic Business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Charters and seconded by Alderman Collins that Rule No. 3 (d) of the City of Hamilton Procedural By-law respecting the requirement of notice for calling a special meeting be waived.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Collins, Eisenberger, Jackson, Charters, Anderson, Kelly, D'Amico. -14.

NAYS: -0.

CARRIED.

It was moved by Alderman Charters and seconded by Alderman Collins that Rule No. 9 of the City of Hamilton Procedural By-law be waived in order to permit consideration of Hamilton Harbour Commissioner issues. **CARRIED.**

RESOLUTION

Hamilton Harbour Commission Issues

It was moved by Alderman Charters and seconded by Alderman Collins

- (a) That the City extend its timeline Agreement respecting the Hamilton Harbour Settlement to March 8, 2000 upon the Hamilton Harbour Commissioners removing its Financial Feasibility Study condition by February 21, 2000 contained in the Agreement; and,
- (b) That Mr. Philip Tunley be directed to inform the Hamilton Harbour Commissioners of City Council's position in this regard. **CARRIED.**

Bill

It was moved by Alderman Charters and seconded by Alderman Collins that the following bill be adopted, signed, sealed and enrolled as a By-law:

- D-05 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

Hamilton City Council then adjourned at 10:10 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
February 8, 2000**



MINUTES

CITY OF HAMILTON SPECIAL CITY COUNCIL

Friday, February 11, 2000
4:35 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, G. Copps, C. Collins,
F. Eisenberger, B. Charters, T. Anderson, B. Kelly, F.
D'Amico.

Regrets: Alderman M. Caplan - City Business
Alderman T. Jackson - Sick
Alderman D. O'Sullivan - Vacation

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Collins and seconded by Alderman Charters that Council move into Committee of the Whole to consider a report respecting the lease agreement for the Sheraton Hotel with Mayor R. Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico. -14.

NAYS: -0.

CARRIED.

RESOLUTION

Lease Agreement – Sheraton Hotel

It was moved by Alderman Anderson and seconded by Alderman Collins

- (a) That the City as Landlord of the Sheraton Hotel, 116 King Street West, grant consent to our tenant, namely GGS Hotel Holdings Canada Inc. ("GGS") to each of the following, subject to the conditions in this resolution;
 - (i) sale of GGS shares to Allied Corporate Holdings S.A.; and,
 - (ii) Assignment of Ground Lease to Chip Reit No. 37 Holdings Ltd.; and,
 - (iii) Sublease of the hotel to Chip Reit No. 37 Operations Ltd.
 - (iv) Change of Mortgagee of Ground Lease to 3682153 Canada Inc.; and,
- (b) That the Mayor and Clerk be authorized to execute documents to implement the foregoing in a form satisfactory to Corporate Counsel, including the documents referred to in this resolution and the following documents:
 - (i) Assignment of Ground Lease Agreement;
 - (ii) Lease Assumption Agreement;
 - (iii) an Estoppel Certificate addressed to GGS, Chip Reit No. 37 Holdings Ltd. regarding the Ground Lease and regarding such other agreements with the Hotel as the corporate counsel may determine, subject to the qualifications on matters remaining to be completed and/or fulfilled by GGS, to be prepared by the Corporate Counsel; and,
- (c) That in respect of the City's capital loan made to the Hotel in 1983,
 - (i) that GGS be informed that the balance of the loan due the City is \$2,158,091 comprised of \$1,360,532 of deferred payments and \$797,559. in payments payable over the next three years;
 - (ii) that GGS be informed that the City denies GGS's request to accept \$500,000 as payment in full of the said balance due of \$2,158,091;

- (iii) that GGS be informed that the City, as landlord, requires as a condition of its consent to the proposed lease assignment, that the loan payments be made current by payment of the said deferred principal of \$1,360,532 upon the assignment of the Ground Lease;
- (d) That these consents also be subject to the following conditions:
 - (i) certified resolutions of the shareholders and directors regarding the said proposed transactions; other documents, including solicitor's opinions and third party consents as the Corporate Counsel and its legal advisers may advise;
 - (ii) an Indemnity Agreement between the Chip Reit and the City guaranteeing the performance of the Ground Lease by the new tenant, Chip Reit No. 37 Holdings Ltd.; and,
 - (iii) registration on closing by GGS of discharges of all documents on title in favour of 3682153 Canada Inc and Chizin-Seiko Housing Loan Co. Ltd and related security documents; and,
 - (iv) that GGS pay on closing of the sale the costs of the City's external legal counsel and the financial consultant retained to advise the City on this proposed sale of the Lease; and,
 - (v) the proposed sublease shall be in compliance with the provisions of the Ground Lease
 - (vi) that the city receive assurances that the Hotel shall continue under the Sheraton name
- (e) That the approvals listed above be conditional upon each of the said matters being carried out and completed as one approved transaction and that this approval only be effective in respect of the said named parties and only during the period ending 2000 February 29.

Recorded vote.

YEAS: Aldermen Horwath, Corsini, Morelli, Haining, Wilson, Collins, Eisenberger, Charters, Anderson, Kelly, D'Amico. -11.

NAYS: Mayor Morrow, Aldermen Kiss, Copps. -3.

CARRIED.

* * * * *

It was moved by Alderman Anderson and seconded by Alderman Kelly that staff be directed to meet with the proponents to deal with the existing loan/debt and report back on possible repayment options.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Horwath, Corsini, Copps, Wilson, Eisenberger, Anderson, Kelly, D'Amico. -9.

NAYS: Aldermen Kiss, Morelli, Collins, Charters. -4. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Horwath that the following Bill be signed, sealed and enrolled as a by-law:

Bill E-001: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

Hamilton City Council then adjourned at 4:10 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
February 11, 2000
JJS/dg**



MINUTES

CITY OF HAMILTON SPECIAL CITY COUNCIL

Wednesday, February 23, 2000
11:00 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Caplan, A. Horwath, R. Corsini,
D. Haining, D. Wilson, G. Copps, C. Collins,
F. Eisenberger, B. Charters, T. Jackson, T. Anderson,
B. Kelly, F. D'Amico, D. O'Sullivan.

Regrets: Alderman M. Kiss - Vacation
Alderman B. Morelli – Other Business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Collins and seconded by Alderman Horwath that Rule No. 3(d) of the City Procedural By-law respecting the notice required for calling a special meeting of City Council be waived. **CARRIED.**

It was moved by Alderman Kelly and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the lease agreement for the Sheraton Hotel with Mayor R. Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Copps, Wilson, Collins, Eisenberger, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0. **CARRIED.**

Council was in receipt of a private and confidential information report dated February 22, 2000 from Mr. Lychak, City Manager respecting lease agreement of the Sheraton Hamilton Hotel.

Mr. Lychak reviewed the negotiations which had taken place with respect to the City's ground lease of the Sheraton Hamilton Hotel to G.G.S. Hotel Holdings Canada Inc. and the re-payment of the City's capital loan for the sub-basement storage level of hotel.

It was moved by Alderman Corsini and seconded by Alderman Caplan that Council move in-camera to hear legal counsel advise on the terms of the proposal from G.G.S. **CARRIED.**

RESOLUTION

Lease Agreement – Sheraton Hotel

It was moved by Alderman Charters and seconded by Alderman Collins that no action be taken in regard to the February 22, 2000 Allied Companies repayment proposal for the city's ground lease of the Sheraton Hamilton Hotel.

Recorded vote.

YEAS: Aldermen Caplan, Horwath, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Kelly. –9.

NAYS: Mayor Morrow, Aldermen Corsini, Copps, D'Amico, O'Sullivan. –5.
CARRIED.

It was moved by Alderman Collins and seconded by Alderman Charters that staff be directed to take appropriate measures to immediately collect the outstanding amount of money owing related to the city's loan with G.G.S.

It was subsequently moved by Alderman Caplan and seconded by Alderman O'Sullivan that the motion respecting instructions to staff to recover the outstanding amount owing to the city by G.G.S. be tabled until such time as staff reports on the legal and financial implications of such to the Committee of the Whole. **CARRIED.**

It was moved by Alderman Charters and seconded by Alderman Collins that the following Bill be signed, sealed and enrolled as a by-law:

Bill E-002: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

Hamilton City Council then adjourned at 12:50 p.m.

Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

J. J. Schatz, Municipal Clerk
February 23, 2000
JJS/dg

CORRESPONDENCE

Correspondence:

1. Application dated February 24, 2000 from Casablanca Inc., for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District for property on the north side of the future extension of Graywood Road, south of Glenview Place, Hamilton, Ontario.

Recommendation: Be Received.

2. Application dated February 24, 2000 from Bryan Leon for removal of the 'H' Holding Provision for property at 694 Upper James Street, Hamilton, Ontario.

Recommendation: Be Received.

3. Application dated February 14, 2000 from Mr. Ivo Civitarese, 555 Queenston Road, Hamilton, Ontario for a further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) for 180 Walnut Street South, Hamilton, Ontario.

Recommendation: Be Received.

4. Application dated February 16, 2000 from Philpott Memorial Church for a change in zoning from "L-c" (Planned Development – Commercial) district to "H" (Community Shopping and Commercial, etc.) District modified for part of 89-91 Vine Street, Hamilton, Ontario

Recommendation: Be Received.

TRANSPORT AND ENVIRONMENT COMMITTEE



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, February 21, 2000
9:30 a.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Aldermen A. Horwath, T. Anderson, F. D'Amico
Regrets:	Mayor R. M. Morrow (Civic Business) Alderman M. Kiss (Vacation) Alderman B. Morelli (Other Business) Alderman T. Jackson (Personal Business)
Also Present:	C. Guthro, M. Hazell, R. Meiers, K. Extance, B. Price, C. Biggs
Alderman C. Collins, Chairperson, called the meeting to order.	

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 04-00 AND RESPECTFULLY RECOMMENDS:

1. **Outdoor Boulevard Café – 56 Hess Street South (PWT00036) (Item 3)**
 - (a) That the application of Berg Corp operating as Doors Pub and Pizzeria, to extend an existing outdoor boulevard café in front of 56 Hess Street South to incorporate 16' x 30' of the Hess Street South road allowance, be approved on a trial basis, from May 1, 2000 to October 31, 2000, subject to the following conditions:
 - i) That the applicant enter into a Boulevard Cafe agreement in a form satisfactory to the Acting Commissioner of Public Works and Traffic and the Director of the Legal Services Department; and

- ii) That the applicant pay a registration fee of \$50 and an annual fee to be determined by the Real Estate Division, Legal Services Department, at such time as the current moratorium on encroachment fees ends; and
 - iii) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City of Hamilton and holding the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and
 - iv) That the applicant occupy the licensed area of the boulevard from May 1, 2000 to October 31, 2000, and that all furniture, equipment, etc. be removed from the road allowance at all other times; and
 - v) That the applicant provide access for the physically challenged utilizing the Barrier Free Design Standards adopted by Council on October 25, 1994; and
- (b) That the Mayor and Municipal Clerk be authorized and directed to execute the Boulevard Café Agreement; and
 - (c) That at the end of the trial period, staff report back and recommend a continuance of the agreement if appropriate.

2. Local Improvement Charges for the Construction of Roads, Curbs, Sidewalks and Alleys (PWT00040) (Item 4)

- (a) That the following changes be made in the maximum charges per metre of frontage for local improvement construction:

		Maximum Charge per Metre _____ of Frontage	
	<u>Item</u>	<u>Existing 1999</u>	<u>Proposed 2000</u>
i)	Curb Only	\$ 74.00	\$ 78.00
ii)	Sidewalks Only	\$105.00	\$116.00
iii)	Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	\$151.00	\$164.00
iv)	Roadway Only	\$256.00	N/A
v)	Alleys	\$ 90.00	\$ 94.00

		Maximum Charge per Metre _____ of Frontage	
	<u>Item</u>	<u>Existing 1999</u>	<u>Proposed 2000</u>
vi)	Roadway and Curbs only (Industrial Subdivisions)	\$338.00	N/A
(b)	That the Commissioner of Public Works and Traffic be authorized and directed to amend the Local Improvement By-law.		

3. Local Improvement By-law – Construction of a Concrete Alley First South of Main Street West, from Thorndale Street South to Norfolk Street South (PWT00041) (Item 5.1)

That the appropriate By-law be enacted to authorize construction of local improvements of a concrete alley first south of Main Street West from Thorndale Street South to Norfolk Street South.

4. Local Improvement By-law – Construction of a Concrete Alley First South of Markland Street, from Chilton Place westerly to the North-South Alley (PWT00042) (Item 5.2)

That the appropriate By-law be enacted to authorize construction of local improvements of a concrete alley first south of Markland Street from Chilton Street westerly to the north-south alley.

5. Local Improvement By-law – Construction of an Independent Concrete Sidewalk on the east side of Main Street West, along the frontage of 1895 Main Street West (PWT00043) (Item 5.3)

That the appropriate By-law be enacted to authorize construction of local improvements of an independent concrete sidewalk on the east side of Main Street West along the frontage of 1895 Main Street West.

6. After-Hours Desk – Customer Service Levels (New Business)

That the Finance and Administration Committee be requested to review the customer service level provided by the staff at the after-hours desk.

7. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-007 A by-law to authorize the construction, as a local improvement, a concrete alley first south of Main Street West, from Thorndale Street South to Norfolk Street South, upon the petition of the abutting owners pursuant to Section 11 of The Local Improvement Act;

A by-law to authorize the imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;

A by-law to authorize the preparation of plans, specifications and reports and the supervision of construction of the said works by the General Manager, Transportation, Operations and Environment.

- (b) A-008 A by-law to authorize the construction, as a local improvement, a concrete alley first south of Markland Street, from Chilton Place westerly to the north-south alley, upon the petition of the abutting owners pursuant to Section 11 of The Local Improvement Act;

A by-law to authorize the imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;

A by-law to authorize the preparation of plans, specifications and reports and the supervision of construction of the said works by the General Manager, Transportation, Operations and Environment.

- (c) A-009 A by-law to authorize the construction, as a local improvement, an independent concrete sidewalk on the east side of Main Street West along the frontage of 1895 Main Street West, upon the petition of the abutting owners pursuant to Section 11 of The Local Improvement Act;

A by-law to authorize the imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;

A by-law to authorize the preparation of plans, specifications and reports and the supervision of construction of the said works by the Acting Commissioner of Public Works and Traffic.

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest (Item 1)**

None declared.

(b) **Adoption of Minutes – January 31, 2000 (Item 2)**

That the Minutes of the meeting of the Transport and Environment Committee held on January 31, 2000, be adopted.

(c) **Outdoor Boulevard Café – 56 Hess Street South (PWT00036) (Item 3)**

Staff advised that they would be consulting with Legal Services in terms of liability and expenses to the City of Hamilton (i.e., costs incurred by the applicant), should the application for the outdoor boulevard café not be approved to operate beyond the six-month trial period.

Staff was requested to bring a report back to the Committee which more systemically addresses noise issues in the downtown core, as well as other areas of the City.

(d) **Local Improvement Charges for the Construction of Roads, Curbs, Sidewalks and Alleys (PWT00040) (Item 4)**

Staff was requested to bring a comprehensive report back to the Committee detailing the increase in construction costs from prior years and how this issue could be addressed in the future.

(e) **After-Hours Desk – Customer Service Levels (Item 6)**

Members of the Committee expressed concerns from their constituents that when they contacted the after-hours desk for assistance, the responses received from the staff was poor and less than satisfactory.

(f) **Other Business**

- (i) **Request from D. Brown, P. McCarroll-Butler and N. Patti to appear before the Committee respecting Certificate of Approval Applications for Discharge to Air Quality by Industries in the City and Region (New Business – No Copy)**

The Committee was in receipt of correspondence dated November 12, 1999 from D. Brown, P. McCarroll-Butler and N. Patti respecting Certificate of Approval Applications for Discharge to Air Quality by industries in the City and Region, and their request to address the Committee on this issue.

The Committee Chairman was directed to forward a letter to the Minister of the Environment requesting the Ministry's position with respect to area municipalities not being given the opportunity to comment on such applications. D. Brown, P. McCarroll-Butler and N. Patti will be invited to address the Committee following receipt of the Ministry's response.

- (ii) **Snow Clearing – Auburn Avenue, south of Normandy (New Business)**

Alderman D. Wilson requested that particular attention be given to snow clearing on Auburn Avenue, south of Normandy, given the slope of the road and the difficulties experienced by the residents on the street.

(g) **Information Items (Item 5.4)**

That the following items, be received:

- (i) Enforcement of the Private Property By-law, as amended, and towing "unauthorized motor vehicles" (PWT99088a)
- (ii) Correspondence dated January 26, 2000 from the Ministry of the Environment to CleanSoils Limited, respecting Revocation of Provisional Certificate of Approval for a waste disposal site (processing), A100314 located at Pier 26, Eastport Drive, Hamilton

Note: The meeting of the Transport and Environment Committee adjourned at 10:05 a.m.

**Alderman C. Collins, Chairman
Transport and Environment Committee**

Carolyn Biggs
Legislative Assistant
February 21, 2000

**PLANNING & DEVELOPMENT
COMMITTEE**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday, February 23, 2000

9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Regrets: Mayor R. M. Morrow (Civic Business)

Also Present: Alderman Horwath, Alderman Anderson, L. Coveyduck, G. Paparella, P. Mason, P. Mallard, A. Zuidema, P. Lampman, M. Mascarenhas, H. Milsome, E. Switinky, E. Chajka, K. Nutley, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 04-00 AND RESPECTFULLY RECOMMENDS:

1. **SAC-99-04 & ZAC-99-39 for lands South of Royalvista Drive and West of Upper Gage Avenue (PDC00039) (Item 2.1)**
 - A. That approval be given to Subdivision Application 99-04. (Regional File No. 25T-99010). A. Nesci and 683595 Ontario Inc. to establish a draft plan of subdivision "Royalvista Court", on lands located south of Royal Vista Drive and west of Upper Gage Avenue in the Eleanor Neighbourhood, as shown on the attached map marked as Appendix "A", subject to the following conditions:
 - (a) That this approval apply to the plan prepared by A.J. Clarke and Associates Ltd. and certified by B.J. Clarke, O.L.S., dated October 18, 1999, showing 8 lots for single detached dwellings and 1 block

for future development with the abutting lands, attached as Appendix "B"

- (b) That the owner prepare and submit, to the satisfaction of the Director, Land Development Department, Community Planning and Development Division, a municipal street numbering plan;
- (c) That the owner shall erect a sign in accordance with Section XI of the Subdivision Agreement prior to the issuance of a final release by the City of Hamilton;
- (d) That the final plan conform with the Zoning By-law approved under the Planning Act;
- (e) That the owner provide the City of Hamilton with a certified list showing the net lot area and width of each lot and block and the gross area of the subdivision in the final plan;
- (f) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority;
- (g) That the Owner agree to include the following warning clause to be registered on title of Lot 8 within the plan of subdivision, and the owner shall ensure that the warning clause is included in all offers of purchase and sale and reservation agreements to the satisfaction of the Director, Land Development Department, Community Planning and Development Division and the Corporate Counsel:

"Purchasers are advised that noise levels originating from Upper Gage Avenue may become of concern, occasionally interfering with some activities of the occupant."

- (h) That the applicant/owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton and Region of Hamilton-Wentworth prior to development of any portion of these lands.
- (i) That the owner/applicant establish a 0.30 metre reserve adjacent to Upper Gage Avenue along the full frontage of Block 9. The reserve is to be transferred to the City of Hamilton upon registration of the final plan for Block 9. The Reserve is to be established outside the existing road

allowance and will be transferred back to the owner once the ultimate design for Block 9 has been registered on title to the satisfaction of the General Manager, Community Planning and Development Division.

- (j) That Part 8 on Reference Plan 62R-9436 is dedicated to the Region for road widening purposes.
- (k) That Parts 6 and 7 on Reference Plan 62R-9436 be dedicated to the City of Hamilton for road widening purposes to complete the required daylight triangle.
- (l) That the owner agree in writing and register on title of Lot 8 that vehicular access to Lot 8 must be within the 4.5m frontage on Royal Vista Drive outside of the daylight triangle.
- (m) That the owner purchase Part 5 on Reference Plan 62R-9436 from the City of Hamilton and merge it in title with these lands to the satisfaction of the Director, Land Development Department, Community Planning and Development Division and the Corporate Counsel.
- (n) That the applicant/owner enter into appropriate agreements with the City of Hamilton and the Region of Hamilton-Wentworth to pay all outstanding land, servicing, and road costs on Royalvista Drive.
- (o) That the owner submit the necessary documentation to the satisfaction of the Manager, Development Engineering Section, Land Development Department that the utility easement running east-west is no longer required and has been extinguished.
- (p) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton as provided for under Section 51 of the Planning Act.
- (q) That prior to the registration of the proposed plan of subdivision, the owner file with the City of Hamilton an application for exemption from part lot control for the purpose of creating maintenance easements for Lots 1 — 8 to the satisfaction of the Manager, Development Planning, Land Development Department.
- (r) That any phasing of this development and any temporary works required accommodating the same, be to the satisfaction of the

Manager, Development Engineering Section, Community Planning and Development Division.

- (s) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (SAC-99-04/25T-9901 0), "Royalvista Court", proposed draft plan of subdivision and that the City execute the agreement when the said conditions have been met.
 - (t) That the Municipal Clerk be directed to advise the Director, Land Development Department, Community Planning and Development Division of Council's decision.
- B. That approval be given to Zoning Application ZAC-99-39. A. Nesci and 683595 Ontario Inc., for changes in zoning from "D" (Urban Protected Residential — One and Two Family, etc.) District, modified, to "R-4" (Small Lot Single Family Dwelling) District (Block "1"), from "L-c" (Planned Development — Commercial) District, modified, to "R-4" (Small Lot Single Family Dwelling) District (Block "2"), from "L-c" (Planned Development — Commercial) District, modified, to "C" — 'H' (Urban Protected Residential, etc. - Holding) District (Block "3"), from "D" (Urban Protected Residential — One and Two Family, etc.) District, modified, to "C" — 'H' (Urban Protected Residential, etc. - Holding) District (Block "4"), and, from "G" (Neighbourhood Shopping Centre, etc.) District, modified, to "C" — 'H' (Urban Protected Residential, etc. - Holding) District (Block "5") to permit the use of the subject lands for single detached residential uses, for lands located south of Royalvista Drive and west of Upper Gage Avenue in the Eleanor Neighbourhood, as shown on the attached map marked as APPENDIX "A" on the following basis:
- (a) That Block "1" be rezoned from "D" (Urban Protected Residential — One and Two Family, etc.) District, modified, to "R-4" (Small Lot Single Family Dwelling) District;
 - (b) That Block "2" be rezoned from "L-c" (Planned Development — Commercial) District, modified, to "R-4" (Small Lot Single Family Dwelling) District;
 - (c) That Block "3" be rezoned from "L-c" (Planned Development — Commercial) District, modified, to "C" — 'H' (Urban Protected Residential, etc. - Holding) District;

- (d) That Block "4" be rezoned from "D" (Urban Protected Residential —One and Two Family, etc.) District, modified, to "C" — 'H' (Urban Protected Residential, etc. - Holding) District; and,
- (e) That Block "5" be rezoned from "G" (Neighbourhood Shopping Centre, etc.) District, modified, to "C" — 'H' (Urban Protected Residential, etc. -Holding) District.
- (f) That the amending by-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed "C" (Urban Protected Residential, etc.) District applicable to Blocks "3" "4" and "5". The holding provision will prohibit the development of the subject lands, referred to in sections (D)(c), (D)(d) and (D)(e), until such time as the following conditions have been satisfied:
 - (i) That the lands shown as Blocks "3", "4" and "5" be assembled for the purpose of orderly development to the satisfaction of the Director, Land Development Department, Community Planning and Development Division; and,
 - (ii) The applicant/owner applying for and receiving draft plan approval by the Region of Hamilton-Wentworth of a Plan of Subdivision.

City Council may remove the 'H' symbol, and thereby give effect to the "C' District provisions by enactment of an amending By-law once the conditions have been fulfilled;
- (g) That the amending By-law be added to Section 1 9B of Zoning By-law No. 6593 as Schedule S -1440, and that the subject lands on Zoning District Maps E-38C and E-38D be notated as S -1440;
- (h) That the Corporate Counsel of Legal Services be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council;
- (i) That upon redesignation of the subject lands in the approved Eleanor Neighbourhood Plan from "Commercial" and "Utilities" to "Single and Double" Residential, then the proposed changes in zoning will be in conformity with the Official Plan for the Hamilton

Planning Area; and,

- (j) That the approved Eleanor Neighbourhood Plan be amended to redesignate the subject land from "Commercial" and "Utilities" to "Single and Double" Residential and to revise the street plan to provide for the proposed cul-de-sac.

2. ZAC-99-40, Lands Located at 1389 Upper James Street (PDC00040) (Item 2.2)

That approval be given to Zoning Application 99-40, J & A Riccio Developments Inc., prospective owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District (Block "1") and "AA" (Agricultural) District (Block "2") to "HH" (Restricted Community Shopping and Commercial) District, for property located at 1389 Upper James Street, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;
- (b) That Block "2" be rezoned from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District;
- (c) The "HH" (Restricted Community Shopping Commercial) District regulations, as contained in Section 14A of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special provisions:
 - (i) That notwithstanding Section 14. (3) (a) of By-law No. 6593, a front yard of not less than 24.0 metres in depth shall be provided and maintained;
 - (ii) That notwithstanding Section 18A. (9) of Zoning By-law No. 6593, the required maneuvering for parking and loading spaces may be provided and maintained off-site;
 - (iii) That a minimum 3.0 m wide landscape area shall be provided and maintained along the entire westerly lot line, except for any area used for driveway access;
 - (iv) That a planting strip not less than 3.0 metres in width, and a visual barrier not less than 1.8 metres in height and not greater than 2.0

metres in height shall be provided and maintained along the entire easterly rear lot line;

- (d) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1439, and the subject lands on Zoning District Map E-9C be notated S - 1439;
- (e) That the Corporate Counsel be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-9C, for presentation to City Council;
- (f) That this proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (g) That the subject lands be redesignated on the approved Ryckmans Neighbourhood Plan from "Civic and Institutional " to "Commercial and Retail Warehouse" upon finalization of the implementing By-law.
- (h) That Staff be directed to incorporate fence access to the Dr. William Bethune Park through the Site Plan approval process.

3. Downtown Hamilton BIA- Proposed Budget and Schedule of Payments for 2000 (PWT00039) (Item 4.2)

- (a) That the 2000 operating budget for the Downtown Hamilton B.I.A, attached hereto as Appendix 'D', be approved in the amount of \$135,000; and,
- (b) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (a) above; and,
- (c) That the following schedule of payments for 2000 be approved:

March	\$67,500
June	\$33,750
September	\$33,750

Note: 1999 assessment appeals may be deducted from the 2000 levy payments.

4. Ottawa Street BIA- Proposed Budget and Schedule of Payments for 2000 (PWT00045) (Item 4.3)

- (a) That the 2000 operating budget for the Ottawa Street B.I.A., attached hereto as Appendix 'E' be approved in the amount of \$54,050; and,
- (b) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (a) above; and,
- (c) That the following schedule of payments for 2000 be approved:

February	\$17,600.00
May	\$17,600.00
September	\$18,850.00

Note: 1999 assessment appeals may be deducted from the 2000 levy payments.

5. Final Lot Grading and Sodding Contract for Various Subdivisions in Hamilton During the Year 2000 (PDC00028) (Item 4.4)

That the General Manager of Finance be authorized and directed to issue an Open Order to Cedar Springs Landscape Contractors Ltd. to provide final lot grading and sodding as and when required during the year 2000 in various subdivisions in Hamilton.

6. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-003 A By-law to Amend By-law No. 6593 As Amended by Bylaw No. 99-058 Respecting Land Located at Municipal No. 723 Rymal Road West.
- (b) C-004 A By-law to Remove Land within the "Kemp Estates" Subdivision, Plan 62M-812 from Part Lot Control.
- (c) C-005 A By-law to Remove Land within the "Gourley Stage 2, Phase 2" Subdivision, Plan 62M-897 from Part Lot Control.

- (d) C-006 A By-law to Amend By-law No. 6593 As Amended by Bylaw No. 99-103 Respecting Lands Located on the South Side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest** (Item 1)

None declared.

- (b) **Adoption of Minutes - February 2, 2000** (Item 3.1)

The Minutes of the meeting held February 2, 2000 were adopted.

- (c) **SAC-99-04 & ZAC-99-39 for lands South of Royalvista Drive and West of Upper Gage Avenue (PDC00039)** (Item 2.1)

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard gave a brief overview of the report. He advised that of 105 Notices circulated, 4 replied in favour and none opposed.

Al Fletcher and the applicants were present in favour of the recommendation. He advised that there is adequate supply of commercial in the area and the development is compatible with the surrounding neighbourhood.

Sergio Manchia of Planning Initiatives was present on behalf of residents on Liverno Court, specifically Mr. and Mrs. Hutton. He stated that his clients have concerns regarding traffic, density and the intended use as commercial.

Alderman Anderson and Alderman Kelly were in favour of the proposal.

In response to a question from Alderman Copps, Paul Mallard stated that the density is compatible with the surrounding area.

- (d) **ZAC-99-40, Lands Located at 1389 Upper James Street (PDC00040)**
(Item 2.2)

Submission-Mary Lou Dickson, 1428 Upper James Street, Hamilton

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard reviewed the report for the Committee and advised that of 38 notices circulated 2 replied in favour one one opposed.

Mr. Riccio was present in favour of the recommendation.

Marilyn Smith of 1375 Upper James Street was present to voice her opposition to the proposed walkway and also to request a 2-metre chain link fence abutting her property as a condition of approval.

Paul Mallard advised that the provisions requiring fences are only for residential properties and Mrs. Smith's property is zoned commercial. He suggested that the ward aldermen would have an opportunity to review the fencing issue at the Site Plan Stage.

Robert Morris of 1452 Upper James Street was present in opposition to the recommendation. In response to a question, Kevin Nutley advised that the property was declared surplus and then it was put up for sale through a real estate company.

Mr. Morris stated that his family has owned his property since the 1940's and he is concerned over the condition of the park. The chairperson assured him that there is money in the budget to renovate the pool and that money from the sale of the land is being allocated to park redevelopment.

In response to a question from Alderman Copps, Paul Mallard stated that a 600 foot walkway is not practical.

A discussion ensued concerning a potential walkway or gate. Art Zuidema advised that an easement is a right of passage and there would be a long term liability to the City to maintain it. In addition the terms and conditions of purchase and sale may change or be nullified.

Mr. Riccio stated that he is prepared to support access from his property as well as all the other commercial properties abutting the park.

An amendment was introduced and defeated as follows:

"That staff be directed to include a public access easement from the property in question to the park".

A further amendment was introduced and carried as follows:

"That Staff be directed to incorporate fence access to the Dr. William Bethune Park through the Site Plan approval process".

*Alderman Copps was opposed to the amendment.

*Alderman Copps was opposed to the main motion as amended.

(e) **Demolition of 244 King St. E., Implementation of the Ferguson Avenue Master Plan (PWT00037) (Item 4.1)**

Alderman Charters was concerned that there was no comprehensive plan to deal with this property. The Committee concurred that development should not occur piecemeal and that this should be incorporated into an overall plan such as the Secondary Plan which will be presented in June.

Following discussion the Committee resolved that the report be tabled with direction to staff to come back with a comprehensive plan regarding best use for the site and the building.

(f) **Information Items (Item 4.5)**

That the following Information Items as previously distributed to Members of the Planning and Development Committee be received:

(a) Acting General Manager/MOH Social and Public Health Services Division re: Extra Funding for Federal Renovation Programs (HSB0004) dated February 7, 2000.

(b) General Manager, Community Planning and Development Division and Director, Economic Development Department re: Update on Brownfields Initiatives (PDC00037) dated February 7, 2000.

- (c) General Manager, Community Planning and Development Division
re: Development Permit System – Pilot Project for the City of
Hamilton (PDC00025) dated February 11, 2000.
- (d) General Manager, Community Planning and Development Division
re: 195 Ferguson Avenue North – Implementation of the Wesley
OMB Decision (seventh report) – (PDC99088(E)) dated February 11,
2000.

(g) **Extra Funding for Federal Renovation Programs (HSB0004) (item 5.1)**

Mark Mascarehas was present to review the information report with the Committee. He advised that the City has applied for and received 1.7 million dollars.

(h) **Other Business**

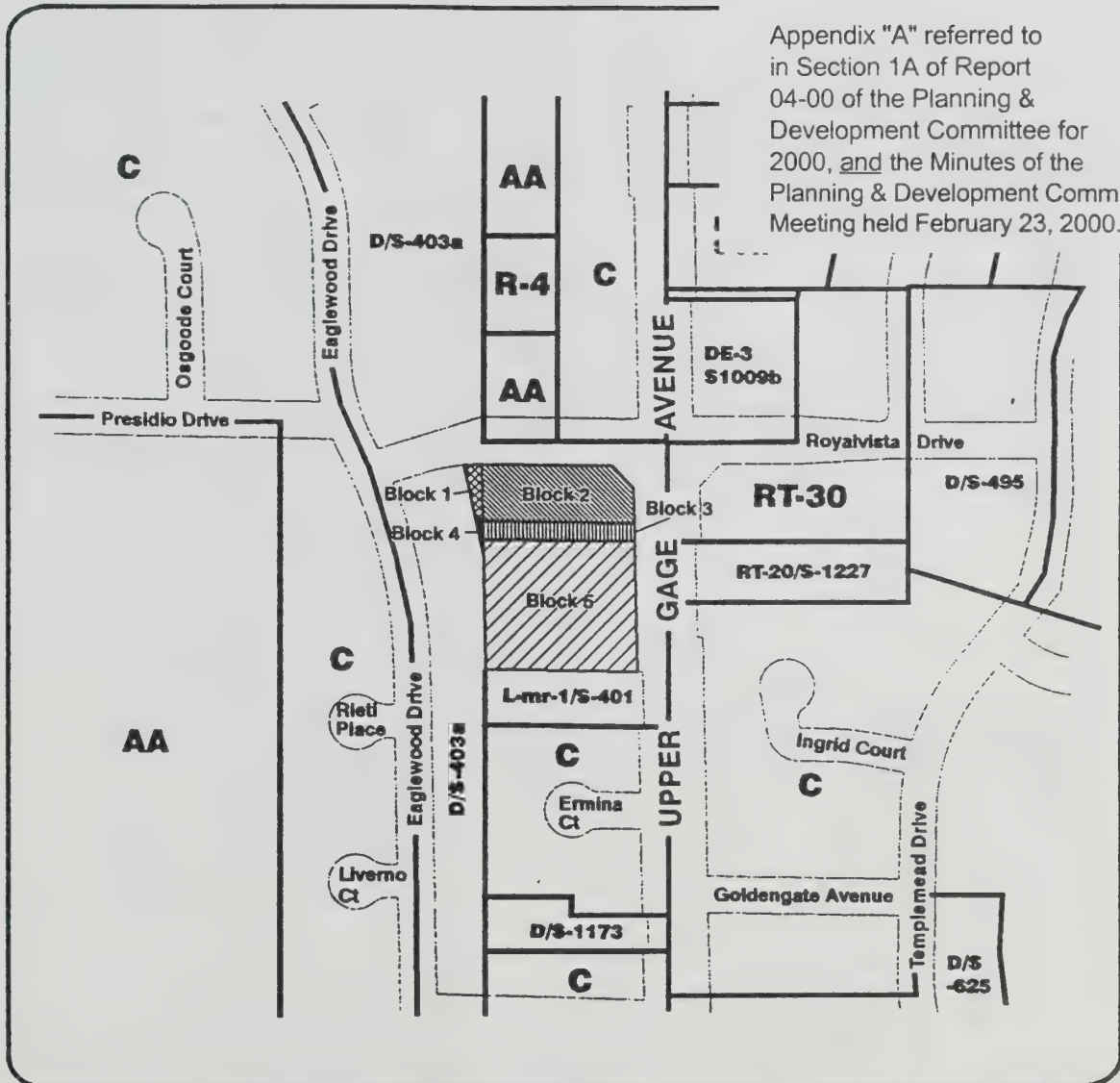
- (i) Alderman Corsini advised the Committee that the City has until the end of year 2000 to determine alternate sites for the corrections facility. Paul Mason advised that staff is preparing a report regarding residential care facilities including correction which will be completed soon.
- (ii) Alderman Charters advised the Committee that Habitat for Humanity is interested in property which is presently zoned as a parking lot. After brief discussion the Committee resolved a follows:

"That Community Planning and Development Division staff be directed to undertake a City Initiative to rezone the lands at 90 Kinraid Street to permit residential use."

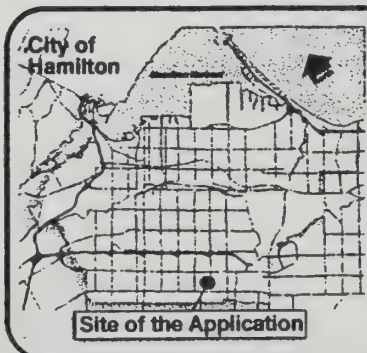
Note: The meeting of the Planning and Development Committee adjourned at 10:45 a.m.

**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
February 23, 2000**



Appendix "A" referred to in Section 1A of Report 04-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held February 23, 2000.



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

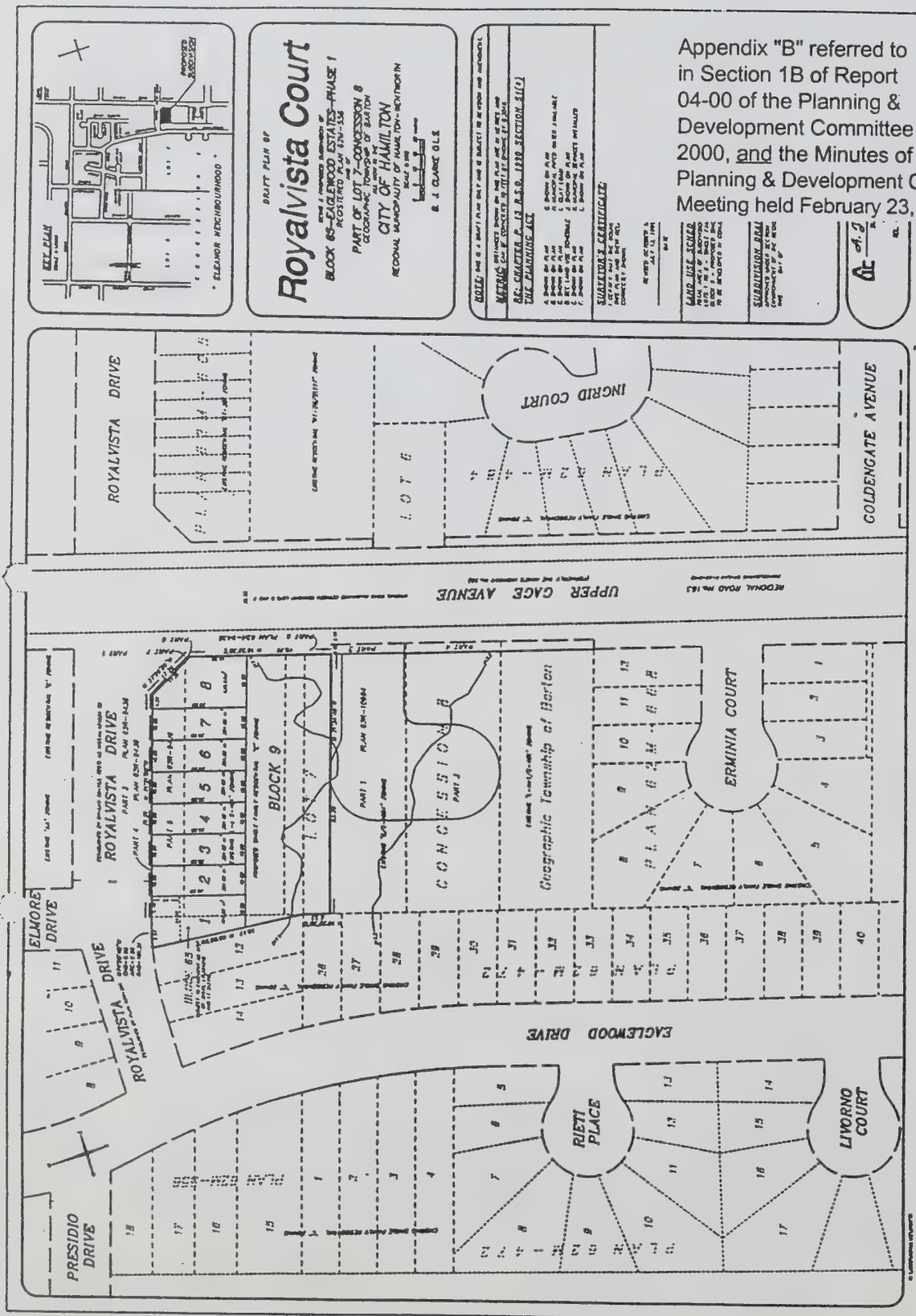
- Block 1** [Cross-hatch pattern] from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, modified to "R-4" (Small Lot Single Family Dwelling) District
- Block 2** [Diagonal lines pattern] from "L-c" (Planned Development) District, modified to "R-4" (Small Lot Single Family Dwelling) District
- Block 3** [Horizontal lines pattern] from "L-c" (Planned Development) District, modified to "C"-H" (Urban Protected Residential, etc. - Holding) District
- Block 4** [Solid black pattern] from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, modified to "C"-H" (Urban Protected Residential, etc. - Holding) District
- Block 5** [Diagonal lines pattern] from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "C"-H" (Urban Protected Residential, etc. - Holding) District

Reference file:
ZAC-99-39

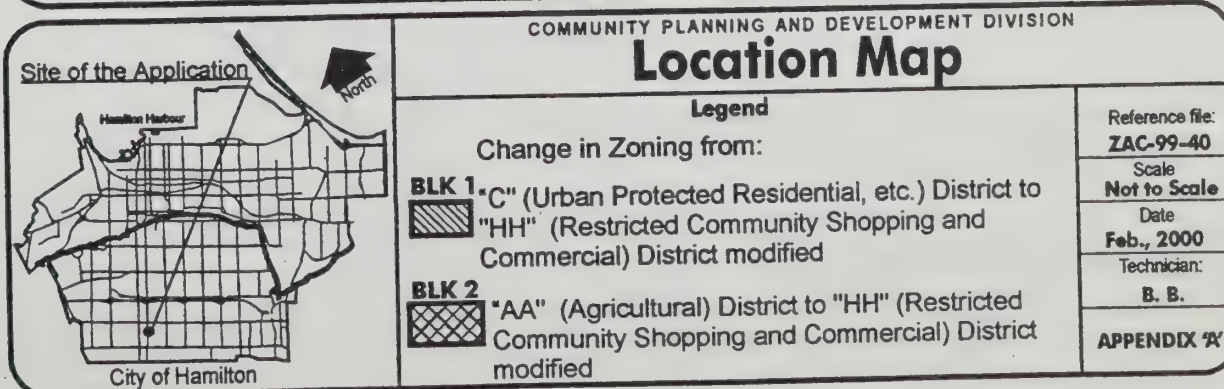
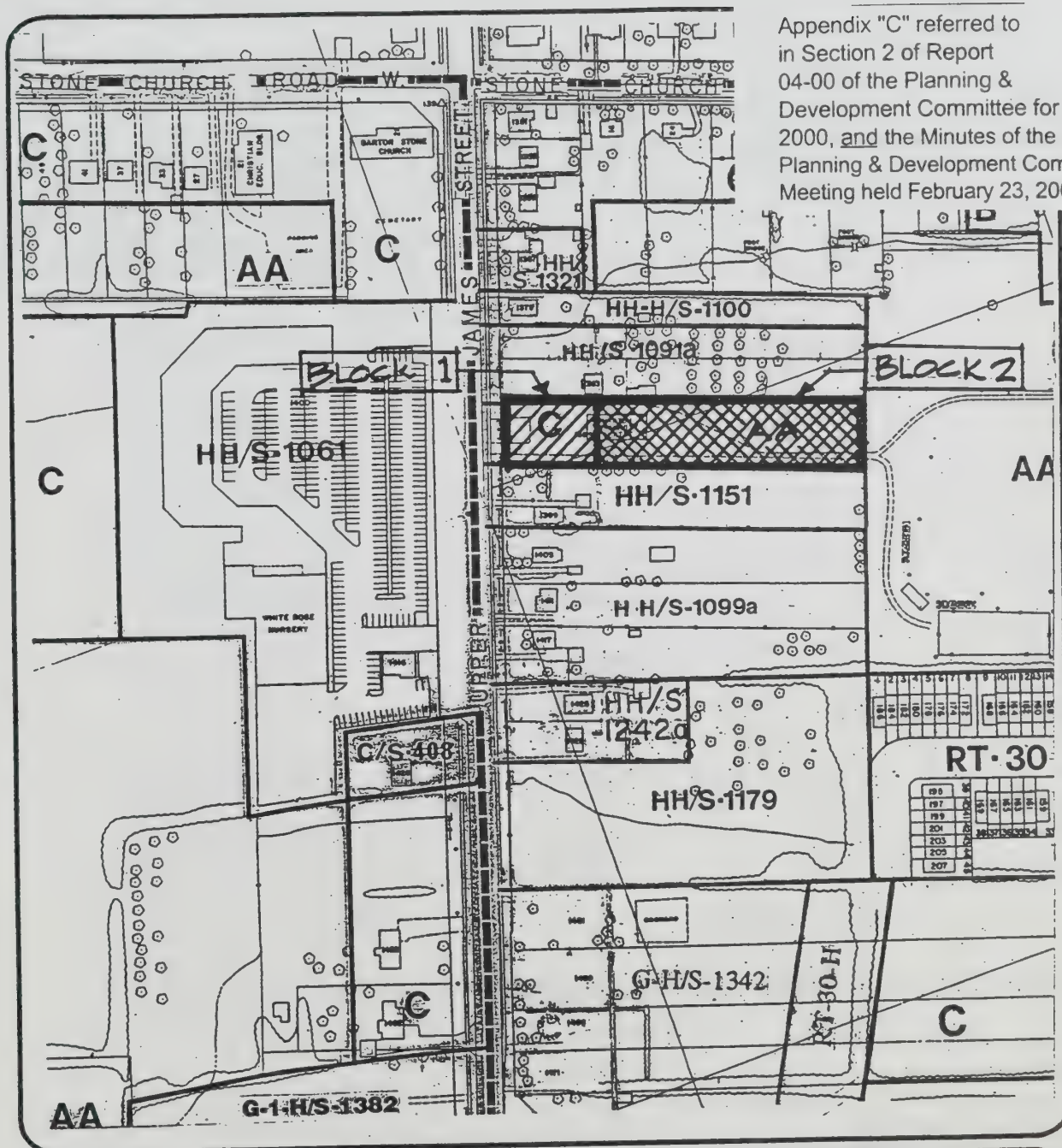
Scale
Not to Scale

Date
Dec, 1999

Technician:
D.L.



Appendix "C" referred to in Section 2 of Report 04-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held February 23, 2000.



Downtown Hamilton Business Improvement Area (B.I.
Proposed Budget and Schedule of Payment for 2000 (

Appendix "D" referred to
in Section 3 of Report
04-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held February 23, 2000.

DOWNTOWN HAMILTON BUSINESS IMPROVEMENT AREA'S 2000 BUDGET

Administration

Accounting Fees	\$ 2,800	
Telephone	\$ 1,500	
Rent	\$ 9,800	
Meetings	\$ 2,000	
Salary	\$51,000	
Benefits	\$ 2,600	
Office Expenses	\$ 4,500	
Office Equipment	\$ 1,500	
Insurance (D&O+General)	\$ 2,300 (\$800+\$1,500)	
Sub-Total	\$78,000	
Plus Miscellaneous (5%)	\$ 4,000	
TOTAL ADMINISTRATION		\$ 82,000

Proposed Special Events and Promotions and Estimated Costs

Music in the City	\$ 8,000	
Easter Program	\$ 4,000	
Explore the Core	\$ 3,000	
Major Core Event	\$25,000	
Christmas In Gore Park	\$ 5,000	
Other Events	\$ 5,000	
TOTAL SPECIAL EVENTS AND PROMOTIONS		\$ 50,000
SUB-TOTAL		\$132,000
Plus GST (3.5%)		\$ 3,000
<u>TOTAL B.I.A.BUDGET</u>		<u>\$135,000</u>

**Ottawa Street Business Improvement Area (B.I.A)
Proposed Budget and Schedule of Payment for :**

Appendix "E" referred to
in Section 4 of Report
04-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held February 23, 2000.

2000 BUDGET

EXPENSES

Insurance \$ 1,000

Meeting Expenses \$ 400

Office Expenses \$ 1,500

*This includes Commercial Development Plan Implementation

Rent \$ 1,200

Professional Services \$14,900

*Page By Page Consulting – Office Work and Program Implementation	\$4,000
*Business Owners Development Institute - Advertising Coordination	\$2,500
*Padgett Business Services - Bookkeeping	\$1,200
*Streetfest Coordinator	\$3,000
*Amity -Employment Services- Street cleaning, windows, snow removal	\$1,200
*Sheprott Security Services- 30 nights (TBD)	\$3,000

Special Events \$13,000

Streetfest- All logistics excluding Coordination and Advertising	\$12,000
Christmas – Carolers, Santa, Candy Canes, Free Parking	\$ 1,000

Beautification and Parking \$ 12,050

Flower Planter Maintenance	\$ 1,200
Decorative Banners installation 3 times a year	\$ 1,850
Decorative Lighting hydro for 3 months (\$600/month)	\$ 1,800
Decorative Lighting Program	\$ 6,000
Parking Tokens	\$ 1,200

Advertising \$20,000

*Monthly Radio Campaign
*Full page newspaper advertisements

Ottawa Street Business Improvement Area (B.I.A.) –
Proposed Budget and Schedule of Payment for 2000 (PWT00045)

*Monies available to augment individual merchant advertisements

*Live remote with radio station

	TOTAL	\$62,850.00
Balance carried forward from 1999		\$10,000.00
Total BIA Levies		\$54,050.00

*G.I.C. To cover rebates on tax assessments if required

PLEASE NOTE THE FOLLOWING:

To All BIA Board Members:

All Comments, suggestion, changes need to be submitted by Monday, December 20, 1999.

*Last year's budget was \$34,945 plus \$20,000 carried forward from the Jockey Club

*This proposed budget is \$52,850

*The amount of the GIC will be determined on Monday.

Please call me at
335-0997

Patty

FINANCE & ADMINISTRATION
COMMITTEE



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, February 15, 2000
9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

- Present:** **City Finance and Administration Committee**
Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly
- Regrets:** Mayor R. Morrow - City business
- Region Finance and Administrative Services Committee**
Councillor B. Charters (Chairman), Councillor G. Etherington (Vice-Chairman), Regional Chairman T. Cooke, Councillors D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, A. Bain, M. Caplan
- Regrets:** Councillor A. Sloat - vacation
- Also present:** D. Lychak, A. Ross, J. Bruzzese, M. Hazell, K. Nutley, C. Guthro, G. Paparella, M. Hill, T. Tollis, R. Male, B. McMullen, R. Roszell, D. Beck, L. Bourns, T. Whitehead, Susan K. Reeder

Alderman D. Wilson, Chairman called the meeting to order.

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 04-00 AND RESPECTFULLY RECOMMENDS:

1. **Offer to Purchase - 171 Main Street East (CS00008)(Item 9)**
 - (a) That an Offer to Purchase, executed by Spadar Developments Inc. (Ralph Frisina, President) on January 31, 2000 and scheduled to close on or before May 10, 2000, for real property composed of Part of Lot 13, Concession 2 and Part of Lots 1, 2 and 3, Samuel Mills Survey, in the

geographic Township of Barton, indexed as Part of Lot 15, Registrar's Complied Plan 1391, municipally described as 171 Main Street East, Hamilton and having an average width of 48.57 metres (159.35 ft) more or less, an average depth of 39.09 metres (128.2 ft.) more or less, and an area of 0.188 ha (0.465 acres) more or less, specifically described as Part 1 on Plan No. RA-H-689 Surveys, be approved and completed and the funds derived from the sale in the amount of \$175,000 be credited to Account COHAM 47702-104095 (Off Street Parking Reserve); and,

- (b) That the required deposit cheque in the amount of \$17,500 be held by the General Manager, Finance pending completion of this transaction; and,
- (c) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel; and,
- (d) That this Offer to Purchase Agreement contain the conditions as set out in the Appendixes attached herewith and marked Appendix "A"; and,
- (e) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) the property was declared surplus by City Council on November 30, 1999, pursuant to Item 5 of the 17th Report of the Finance and Administration Committee;
 - (ii) satisfactory notice has been given to the public of the intended sale;
 - (iii) an appraisal of the fair market value of this real property intended to be sold was obtained on December 3, 1999.

2. Declaration of Surplus Property - 2418 Barton Street East, Hamilton - garbage truck maintenance facility (CS00004)(Item10)

- (a) That City owned property at 2418 Barton Street East with a frontage of 40.68 metres (133.46 feet) more or less, on the south side of Barton Street East and an area of 0.693 hectares (1.713 acres) more or less, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,

- (b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049, provided that a one foot reserve is retained by the City across the rear property boundary abutting Eastgate Court to prevent access to the Court until such time as the rear portion of the property is developed for residential use and direct access to Eastgate Court is approved by the City.

3. Declaration of Surplus Property - a one foot reserve in front of a portion of 159 Chester Avenue, Hamilton (CS00007)(Item 12)

- (a) That a one foot reserve across the front of part of the property known as 159 Chester Avenue, Hamilton, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That Real Estate, Legal Services Section be authorized and directed to sell this property to the abutting property owner in accordance with the Real Property Sales Procedural By-law No. 95-049.

4. Authorization to enter into Extension Agreements on Specific Properties for the payment of realty tax arrears (FIN00013)(Item 13)

- (a) That the City be authorized to enter into Extension Agreements if required in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties, to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:
 - (i) 63 Hildegard Drive
 - (ii) 369 Ferguson Avenue North
- (b) That the appropriate by-law to authorize the said Extension Agreements be enacted by City Council; and,
- (c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

5. Remuneration and Expenses Paid to Members of Council and Members of Other Bodies for the year 1999 (FIN00017)(Item 14)

That the Statement of the Treasurer (General Manager, Finance) summarizing remuneration and expenses paid to members of Council and members of other bodies for the year 1999, as circulated to members of Council and available from the Legislative Assistant upon request, be received by City Council.

6. Supply and Delivery of Computer Supplies - Various Departments (FIN00015)(Item 15)

That a purchase order be issued to Computer Media Group, Mississauga to supply and deliver computer supplies to various departments for a period of one (1) 12-month term.

7. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-006 A By-law to authorize an Extension Agreement for payment of Realty Tax Arrears
- (b) D-007 A By-law for confirm the proceedings of the Council of the Corporation of the City of Hamilton.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes - February 1, 2000 (Item 2)

That the minutes of the meeting of the Joint Meeting Session of the City Finance and Administration Committee and the Region Finance and Administrative Services Committee held on Tuesday, February 1, 2000 be adopted.

(c) **Delegation - Ralph Frisina, Spadar Developments Inc. (Item 8)**

The Committee received as information a delegation from Ralph Frisina, President, Spadar Developments Inc. respecting their proposed purchase of property at 171 Main Street East.

(d) **Proposed Property Exchange - 25 Hughson Street South and 171 Main Street East/Proposed Sale 171 Main Street East (CS00008)(Item 9)**

The Committee took no action on the staff recommendation to refer the Committee's motion accepting the Offer to Purchase by Spadar Development Inc. for property at 171 Main Street East to the Transition Board.

(e) **Financing of Demolition and Parkette Development of 25 Hughson Street South (FIN00018)(Item 9.1)**

This report was not applicable as the staff report on the main issue was not approved by the Committee.

(f) **Declaration of Surplus Property - 74 Hughson Street South, Hamilton (CS00006)(Item 11)**

Correspondence - L.A.C.A.C. - Request for Tabling (New Business #1)

In response to the request of L.A.C.A.C., the Committee agreed to table the declaration of surplus property at 74 Hughson Street South, Hamilton.

Alderman Caplan wished to be recorded as opposed to this tabling.

(g) **Requested Report Back - Mayor's Committee against Racism and Discrimination - Hamilton-Wentworth Interfaith Group request (Item 16)**

The Committee received the response from the Mayor's Committee against Racism and Discrimination that it does not support the establishment of a prayer room as described in the September 30, 1999 letter from the Hamilton Wentworth Interfaith Group.

(h) **Claim (CS00005)(Item 18.1)**

A motion to compensate to an amount of \$400 for damages resulted in a lost vote.

**(i) Information Report - City Manager - Transition Board Regulations
(CM00006)(New Business #2)**

The Committee received the Information Report of the City Manager entitled "Transition Board Regulations (CM00006)".

Note: The Joint meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 10:45 a.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
February 15, 2000**

Appendix 1

The Purchaser covenants and agrees to proceed to redevelop the property for commercial and/or residential uses and will commence construction of a new building(s) with a minimum aggregate finished floor area above grade of 1,000 sq. metres (10,764 sq. feet), said new building(s) shall be commenced within 12 months and completed within 30 months from the date this transaction is completed.

If the Purchaser fails to comply with the conditions as set out above, within the time required, then the vendor shall have the option, which option is granted to the Vendor by the Purchaser for good and valuable consideration, to re-purchase the property and to receive a conveyance of it free and clear of all charges and encumbrances liens, claims or adverse interests whatsoever, and the Vendor agrees to pay to the Purchaser to original purchase price for the said lands, less the deposit, less the commission paid (if any) by the Vendor to a real estate agent; less arrears of realty taxes, penalty and interest (including local improvement charges), less amounts required to discharge any mortgages, liens, charges of other encumbrances against the said lands and less the costs of the Vendor incurred in entering on the land and retaking and reselling the land and without increase or compensation for any improvements, additions, alterations in, on or under the said lands.

The Purchaser acknowledges that the Vendor will be removing the existing parking lot equipment which in this instance includes the two parking ticket machines, the signs and their supports. The Purchaser agrees to assume the existing guardrails and light standards, which shall remain on the site after closing.

The Purchaser acknowledges that there is an existing Billboard single poster panel sign supported by a single steel post, located at the south east corner of the property near the intersection of Main Street and Ferguson Avenue. The Billboard advertising contract was recently tendered and awarded to Pattison Outdoor Advertising a division of Jim Pattison Industries Ltd. The Purchaser agrees to assume the existing license with Pattison Outdoor Advertising and to assume the terms of the Form of Quotation, Billboard Advertising at Various Municipal Carparks C11-1199 as set out in Schedule B attached hereto. The Vendor shall deliver to the Purchaser on or before closing an executed acknowledgement, executed by the Tenant, that their licence has not been modified and is in full force along with written directions to the tenant advising of the change of ownership and payment of future rent to the Purchaser.

The Vendor states and the Purchaser acknowledges that prior to the Vendor's acquisition of the property in 1968, the easterly portion of the site was used as a Pioneer service station and through the Vendor's investigation of said past use with the Ministry of the Environment, the Technical Standards and Safety Association, Fuel Safety Division (formerly Ministry of Consumer and Corporate Relations) and Pioneer Petroleum, it has been unable to reveal any further information. During or soon after the date the property was purchased by the Vendor, above ground service station improvements were removed, however, the underground 5,000 gallon fuel tank, as noted on plans on file with the City of Hamilton Building Department, may still be located on site. The plans indicate the location of this tank is approximately 15 feet to 30 feet from the easterly property boundary and 15 feet to 25 feet from the northerly property boundary.

Appendix "A" (Pg.2) as
Referred to in Section 1
of Report 04-00 of the
Finance and Administration
Committee

Appendix 2

RIDER 1

TO AGREEMENT OF PURCHASE AND SALE
BETWEEN SPADAR DEVELOPMENTS INC., AS PURCHASER, AND
THE CORPORATION OF THE CITY OF HAMILTON, AS VENDOR,
FOR THE PURCHASE AND SALE OF PROPERTY KNOWN MUNICIPALLY
AS 171 MAIN STREET EAST, HAMILTON, ONTARIO (THE "PROPERTY")

1. VENDOR'S PRE-CLOSING DELIVERIES

Within 2 business days of the date of execution of this Agreement, the Vendor shall make available to the Purchaser each of the following relating to the Property as may be in the possession of the Vendor (collectively, the "Pre-closing Deliveries"):

- (a) any engineering, environmental or soil report, assessment or audit;
- (b) any existing survey;
- (c) any plan, drawing and specification for the improvements on the Property; and
- (d) ^{b.i.d} the ~~licence~~ in favour of Pattison Outdoor Advertising (the "Pattison Licence") and all material relating thereto.

The Purchaser shall be permitted to take copies of any of the Pre-closing Deliveries at its own expense. If this Agreement is not completed for any reason, the Purchaser shall immediately return all copies of the Pre-closing Deliveries to the Vendor. All Pre-closing Deliveries are made available to the Purchaser on the condition that the same be kept confidential and the Purchaser covenants and agrees not to disclose the contents thereof except to its principals, employees, consultants and advisors involved in reviewing this Agreement and the purchase of the Property, all of whom shall similarly be bound to keep the same strictly confidential, except for such disclosure as may be required by law.

2. PURCHASER'S INSPECTIONS

The Purchaser shall have access to the Property at any time and from time to time to conduct such inspections or testing, including drilling, as it deems necessary in order to satisfy itself in respect of the state of repair and condition of the Property, including, without limitation, the environmental and geotechnical condition of the Property (the "Inspections"). The Inspections and the entry of the Purchaser onto the Property shall be undertaken at the Purchaser's own risk and expense and shall not unduly or unreasonably interfere with the use and occupation of the Property by the Vendor and its tenants, invitees and licencees, if any. Immediately following completion of the Inspections, the Purchaser shall fully restore the Property to the state and condition it was in immediately prior to the Inspections. The Vendor authorizes and directs all authorities to release any information in respect of the Property to the Purchaser. If required, the Vendor shall execute any written authorization and/or direction which may be required by any such authority within a reasonable period following receipt of a format of the same with the written request of the Purchaser for execution of the same. The Purchaser shall indemnify the Vendor for any claim, loss or damage it may suffer or incur due to, arising out of or as a result of the Inspections or the entry of the Purchaser onto the Property. The results of the Inspections or the response to an enquiry by the Purchaser for release of information shall be kept strictly confidential by the Purchaser and shall not be disclosed by the Purchaser, except as may otherwise be required by law, to anyone other than to its principals, employees, consultants and advisors involved in reviewing this Agreement and the purchase of the Property all of whom shall similarly be bound to keep the same strictly confidential.

3. PURCHASER'S CONDITION

This Agreement is conditional (the "Purchaser's Condition") to and including the date which is 45 days from the date of execution of this Agreement (the "Condition Date") upon the Purchaser satisfying itself with each of the following:

- (a) the Pre-closing Deliveries;
- (b) the Inspections;
- (c) the results of the Purchaser's enquiries; and

- (d) that the Purchaser can undertake the intended development of the Property subject to the Pattison Licence or that the Pattison Licence can be amended or terminated to permit the intended development.

The Purchaser shall act reasonably in satisfying itself with respect to the Purchaser's Condition. The Purchaser shall notify the Vendor on or before the Condition Date whether the Purchaser's Condition has been satisfied. In the event the Purchaser fails to notify the Vendor that the Purchaser's Condition has been satisfied or waived on or before the Condition Date the Purchaser's Condition shall be deemed to have been satisfied. In the event the Purchaser notifies the Vendor on or before the Condition Date that the Purchaser's Condition has not been satisfied or waived, then this Agreement shall be terminated, and the Deposit shall be returned to the Purchaser forthwith with accrued interest, if any, and without deduction. The Purchaser's Condition has been inserted in this Agreement for the sole benefit of the Purchaser and may be waived by it at any time.

4. LEASE BACK

The Purchaser shall lease the Property back to the Vendor for the Vendor's continued use of the same as a surface parking facility until such time as the Purchaser requires vacant possession of the Property for the purposes of its intended development. The Base Rent for the lease back shall be \$1.00. The Vendor shall be responsible for all other cost and expenses assessed against the Property and pertaining to its use thereof during the term of the lease back. The Vendor shall be entitled to all revenues from the Property during the term of the lease back. The Vendor shall vacate the Property upon not less than 30 days' notice by the Purchaser of its need for vacant possession for the purposes of its development.

5. NOTICE

Any notice under this Agreement shall be given in writing and shall be delivered by hand, sent by registered mail or transmitted by facsimile transmission to the address for each of the parties set out below or to such alternative address as may from time to time be designated by the parties, as the case may be:

if to the Vendor, at:

City of Hamilton and Region of Hamilton-Wentworth
Legal Services Section
Real Estate
71 Main Street East
Hamilton, Ontario
L8P 4Y5

Attention: Mr. Keith Anderson

Fax No.: (905) 546-4554

and if to the Purchaser, at:

Gowling, Strathy & Henderson
Commerce Court West
Suite 4900
Toronto, Ontario
M5L 1J3

Attention: Jon Venutti

Fax No.: (416) 862-7661

Any notice delivered personally shall be deemed to have been given and received on the date of delivery. Any notice delivered by registered mail shall be deemed to have been received on the 3rd business day following the date of mailing thereof save and except in the event of suspension of postal service or threatened postal disruption, in which case notice shall not be delivered by mail.

Any notice delivered by facsimile transmission shall be deemed to have been delivered on the business day immediately following the date of complete, legible transmission therefor.

6. PLANNING ACT

This Agreement is subject to the provisions of the Planning Act (Ontario), as same may be amended from time to time, and this Agreement shall be effective to create an interest in the Property only if such provisions are complied with by the Vendor prior to the Closing Date.

7. GENERAL

- (a) The headings of all sections or paragraphs herein are inserted as a matter of convenience and for reference only and in no way define, limit, describe or enlarge the scope, intent or meaning of this Agreement or any provisions hereof or the proper construction hereof;
- (b) The necessary grammatical changes required to make the provisions hereof apply to corporations, partnerships, trusts and individuals, male and female, shall in all cases be assumed as though in each case fully expressed. If there is more than one Purchaser, each of the covenants, agreements and obligations herein shall, as between and among each Purchaser, be deemed to be joint and several and the term "Purchaser" shall be read as if each Purchaser was specifically named and any default by one Purchaser shall be deemed to be a default by each Purchaser;
- (c) The words "hereto", "herein", "hereunder", "hereof", "hereby" and "this Agreement" and similar expressions mean or refer to the whole of this Agreement, including all of the Schedules attached hereto and not to any particular provision, section, paragraph or other portion of this Agreement, unless otherwise specifically provided for herein;
- (d) The expression "business day" means every day other than Saturday, Sunday and any statutory or government holiday recognized as such in the Province of Ontario. In the event that any date established by or stipulated in this Agreement or any date of termination of a period of time set forth or referred to in this Agreement shall fall upon a day which is not a business day, then such date shall be deemed to be the next following business day;
- (e) The expression "date of execution of this Agreement" means the date of acceptance of this Agreement by the parties, and in the event that this Agreement is presented as a counteroffer by one party to the other, the date upon which the last counteroffer is accepted by the party to whom the counteroffer is presented for acceptance;
- (f) This Agreement shall be interpreted in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein;
- (g) Time shall in all respects be the essence hereof;
- (h) Except as otherwise provided herein, this Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns; and
- (i) This Agreement may be executed in counterparts, which together shall be considered the same document. Acceptance of this Agreement may be evidenced by the facsimile transmission of an originally-executed counterpart.

8. CONFLICT

In the event of conflict between any provision in this Rider 1 and any provision in the balance of this Agreement, the provision in this Rider 1 shall prevail.

CITY OF HAMILTON LICENSING COMMITTEE



REPORT

CITY OF HAMILTON LICENSING COMMITTEE

Thursday, February 24, 2000
6:00 p.m.
Room 219, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. Eisenberger (Chairperson), Alderman D. Haining, N. Mieczko, D. Drury

Regrets: Alderman B. Kelly

Also Present: Alderman A. Horwath, P. Lampman, D. Rose, S. Glover

Alderman F. Eisenberger, Chairperson, called the meeting to order.

THE CITY OF HAMILTON LICENSING COMMITTEE PRESENTS REPORT 02-00 AND RESPECTFULLY RECOMMENDS:

1. Michael Riley – Taxi Cab Driver Licence (Item 3(v))

That the Taxi Cab Driver Licence application of Michael Riley be granted subject to Mr. Riley submitting an updated criminal record to the Issuer of Licences on August 24, 2000.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes – January 13, 2000 (Item 2)

That the Minutes of the meeting of the City of Hamilton Licensing Committee held on January 13, 2000 be adopted.

(c) Michael Riley – Taxi Cab Driver Licence (Item 3(v))

The Licensing Committee met in camera to hold a Show Cause Hearing in this matter. Confidential background material pertaining to this matter was circulated to Members of Council under separate cover.

(d) Correspondence from Yachetti, Lanza & Restivo on behalf of Monopoli Restaurant and Nightclub Inc. respecting Licence Condition (Item 4(ii))

Committee was in receipt of a letter dated January 25, 2000 from Roger Yaccheti, solicitor for the Monopoli Restaurant and Nightclub Inc. regarding the interpretation of condition #3. After consultation with the Noise Control Officer, Supervisor of Licences, Councillor Horwath and members of the Committee it was agreed that there was a clear understanding that the condition was initially imposed for one month and was to be reviewed after the expiry of that period.

(e) Monopoli Restaurant Inc. (Syndicate) 52 James Street - Restaurant Licence (Item 4)

In accordance with Licensing Committee direction at its meeting of January 13, 2000 a written report was received from Licence Division staff with regard to the above noted establishment. Verbal updates were received from the police and noise control officer. Input was received from Ward Alderman Andrea Horwath and from the licence holders. A letter was also received from the President of the Syndicate Nightclub stating that construction on the windows, to further soundproof the building, will be completed by Friday February 25, 2000.

The Committee subsequently directed Licensing Staff as follows:

- (a) To report back to the Licensing Committee in one month's time with an assessment of the complaints received, including noise levels; and,

- (b) To maintain the 2:45 a.m. closing time until the next review in one month's time.

Alderman Dennis Haining was recorded as opposed to this action.

(f) **Other Business (Item 5)**

Taxi Plate Renewals

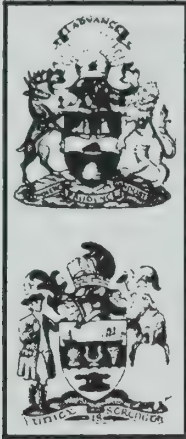
Doug Rose, Supervisor of Licences provided a verbal update on this issue stating that the requirement for taxi cab plate owners to renew their licence in person or submit a letter of appeal by February 29, 2000 had been complied with. The appeal period for taxi plate owners who do not hold a valid taxi-cab driver's licence is in effect until July 1, 2000.

Note: The meeting of the City of Hamilton Licensing Committee adjourned at 6:50 p.m.

**Alderman Fred Eisenberger, Chairperson
City of Hamilton Licensing Committee**

**Stella Glover, Legislative Assistant,
February 24, 2000**

NOMINATING COMMITTEE



REPORT

CITY OF HAMILTON NOMINATING COMMITTEE

Tuesday, February 29, 2000
7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

THE NOMINATING COMMITTEE PRESENTS REPORT 02-00 AND
RESPECTFULLY RECOMMENDS:

1. **Appointment of the Chairman of the Committee of the Whole**

That Alderman _____ be appointed Chairman of
the Committee of the Whole for the months of March, April and May, 2000.

**Mayor R. M. Morrow, Chairperson
Nominating Committee**

**J.J. Schatz,
Municipal Clerk
February 29, 2000**



BILLS

CITY OF HAMILTON CITY COUNCIL

**Tuesday, February 29, 2000
7:30 p.m.**

**Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton**

A-007

A By-law to Authorize:

1. The construction as a local improvement a concrete alley first south of Main Street West from Thorndale Street South to Norfolk Street South, (as described in Schedule "A") upon the petition of the abutting owners pursuant to section 11 of The Local Improvement Act;
2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications and reports and the supervision of construction of the said works by the General Manager, Transportation, Operations and Environment.

A-008

A By-law to Authorize

1. The construction as a local improvement a concrete alley first south of Markland Street from Chilton Place westerly to the north-south alley, (as described in Schedule "A") upon the petition of the abutting owners pursuant to section 11 of The Local Improvement Act;
2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications and reports and the supervision of construction of the said works by the General Manager, Transportation, Operations and Environment.

A-009

A By-law to Authorize:

1. The construction as a local improvement an independent concrete sidewalk on the east side of Main Street West along the frontage of 1895 Main Street West, (as described in Schedule "A") upon the petition of the abutting owners pursuant to section 11 of The Local Improvement Act;
2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications and reports and the supervision of construction of the said works by the Commissioner of Public Works and Traffic.

C-003

A By-law to amend Zoning By-law No. 6593 as amended by zoning By-law No. 99-058 respecting land located at municipal No. 723 Rymal Road West.

C-004

A By-law to remove land within the "Kemp Estates" subdivision, Plan 62M-812 from part lot control.

C-005

A By-law to remove land within the "Gourley Stage 2, Phase 2" subdivision, Plan 62M-897 from part lot control.

C-006

A By-law to amend Zoning By-law No. 6593 as amended by zoning By-law No. 99-103 respecting lands located on the south side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive.

D-006

A By-law to authorize an extension agreement for payment of Realty Tax Arrears.

D-007

A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

To Authorize:

1. The construction as a local improvement a concrete alley first south of Main Street West from Thorndale Street South to Norfolk Street South, (as described in Schedule "A") upon the petition of the abutting owners pursuant to section 11 of The Local Improvement Act;
2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications and reports and the supervision of construction of the said works by the General Manager, Transportation, Operations and Environment.

WHEREAS a petition for the works hereinafter described to be constructed as local improvements has been lodged with the Clerk pursuant to sections 7 and 11 of the Local Improvement Act, R.S.O. 1990, c.L26;

AND WHEREAS at least two thirds of the owners directly abutting the proposed works, representing at least one-half of the value of the lots liable to be specially assessed, have signed and lodged the said petition with the Clerk for presentation to Council for the City to undertake the said works as local improvements;

AND WHEREAS the Municipal Clerk has, as required by the Local Improvement Act, issued his certificate that the said petition sufficiently meets the minimum requirements of the Local Improvement Act;

AND WHEREAS when Council is presented with a sufficiently signed petition for a work, The Local Improvement Act provides that Council may pass a by-law to undertake the works as a local improvement;

AND WHEREAS the Council of The Corporation of the City of Hamilton did decide (in adopting Item 10 of the 5th Report of the Transport & Environment Committee on May 11, 1999) to authorize preparation of this by-law because it is expedient to undertake the works hereinafter described as local improvements pursuant to the petition received from the abutting owners;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and, pending payment in full by the abutting owners of the special assessment provided for below, to finance the abutting owners' portion of the costs by borrowing such funds, through the Region's issuance of debentures;

AND WHEREAS the Regional Municipalities Act, (R.S.O. 1990, c.R.8,sec.11) provides that "no area municipality has power to issue debentures", and that Regional Council may borrow money for the purposes of any area municipality;

AND WHEREAS the Ontario Municipal Board Act, (R.S.O.1990,c.O.28,sec.65), states that a municipality shall not authorize any work the cost of which is to be raised in a subsequent year or years until the approval of the Board has first been obtained.

AND WHEREAS the Local Improvement Act (sec.53(7)) states that the amount of monies borrowed to respect of the abutting owners' portion of the cost of the works "...shall not be deemed to be part of the existing debenture debt of the Corporation within the meaning of the provisions of the Municipal Act limiting the borrowing powers of the municipality";

AND WHEREAS Ontario Regulation 710/92 prescribed pursuant to the Municipal Act, (R.S.O.1990,c.M.45), establishes a limit for the City of Hamilton's debt obligations which do not require approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debts of the local improvements works listed herein, being financed by debentures to be issued by the Region on behalf of the City, together with the City of Hamilton's other financial obligations and debts, do not exceed the City's maximum permitted debt and financial obligation limit prescribed by Ontario Regulation 710/92 and therefore, approval of the Ontario Municipal Board to issuance of debentures by the Region hereinafter described is not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the following described works may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$39,000.00.

The construction of a concrete alley first south of Main Street West from Thorndale Street South to Norfolk Street South at the cost not exceeding those set out below:

City's portion of the cost	\$31,863.00
Owners' portion of the cost	<u>\$7,137.00</u>
Total Estimated cost of the works	<u>\$39,000.00</u>
Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	\$ 90.00

2. The portion of the estimated costs of the said works in the amount of \$7,137.00 shall be borne by the owners of the lands abutting directly on the works and the said estimated cost per metre shall be rated and specially assessed upon the lots abutting directly on the works, according to the extent of their respective frontages therein, by an equal special rate per metre of such frontage payable in annual instalments until fully paid.

3. Pending payment of the abutting owners' portion of the costs referred to in Section 2, the said portion shall be financed by the issue of debentures (subject to the terms listed below) by The Regional Municipality of Hamilton-Wentworth on behalf of the City of Hamilton;
 - (a) to the extent sufficient to provide an amount not exceeding \$7,137.00, and,
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The General Manager, Transportation, Operations and Environment is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and Municipal Clerk are hereby authorized to execute, on behalf of The Corporation of the City, all contracts necessary for the construction of the works.

PASSED this 29th day of February, A.D. 2000.

MUNICIPAL CLERK

MAYOR

(1999) 5 R.T.E.C.10, May 11

SCHEDULE "A"

The construction of a concrete alley first south of Main Street West from Thorndale Street South to Norfolk Street South at the costs not exceeding those set out below:

City's Share	\$31,863.00
Owners' Share	<u>7,137.00</u>
TOTAL ESTIMATED COST	<u>\$39,000.00</u>
Estimated Cost per metre frontage	\$90.00
Fifteen (15) annual instalments	

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

To Authorize:

1. The construction as a local improvement a concrete alley first south of Markland Street from Chilton Place westerly to the north-south alley, (as described in Schedule "A") upon the petition of the abutting owners pursuant to section 11 of The Local Improvement Act;
2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications and reports and the supervision of construction of the said works by the General Manager, Transportation, Operations and Environment.

WHEREAS a petition for the works hereinafter described to be constructed as local improvements has been lodged with the Clerk pursuant to sections 7 and 11 of the Local Improvement Act, R.S.O. 1990, c.L26;

AND WHEREAS at least two thirds of the owners directly abutting the proposed works, representing at least one-half of the value of the lots liable to be specially assessed, have signed and lodged the said petition with the Clerk for presentation to Council for the City to undertake the said works as local improvements;

AND WHEREAS the Municipal Clerk has, as required by the Local Improvement Act, issued his certificate that the said petition sufficiently meets the minimum requirements of the Local Improvement Act;

AND WHEREAS when Council is presented with a sufficiently signed petition for a work, The Local Improvement Act provides that Council may pass a by-law to undertake the works as a local improvement;

AND WHEREAS the Council of The Corporation of the City of Hamilton did decide (in adopting Item 10 of the 9th Report of the Transport & Environment Committee on December 14, 1999) to authorize preparation of this by-law because it is expedient to undertake the works hereinafter described as local improvements pursuant to the petition received from the abutting owners;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and, pending payment in full by the abutting owners of the special assessment provided for below, to finance the abutting owners' portion of the costs by borrowing such funds, through the Region's issuance of debentures;

AND WHEREAS the Regional Municipalities Act, (R.S.O. 1990, c.R.8,sec.11) provides that "no area municipality has power to issue debentures", and that Regional Council may borrow money for the purposes of any area municipality;

AND WHEREAS the Ontario Municipal Board Act, (R.S.O.1990,c.O.28,sec.65), states that a municipality shall not authorize any work the cost of which is to be raised in a subsequent year or years until the approval of the Board has first been obtained.

AND WHEREAS the Local Improvement Act (sec.53(7)) states that the amount of monies borrowed to respect of the abutting owners' portion of the cost of the works "...shall not be deemed to be part of the existing debenture debt of the Corporation within the meaning of the provisions of the Municipal Act limiting the borrowing powers of the municipality";

AND WHEREAS Ontario Regulation 710/92 prescribed pursuant to the Municipal Act, (R.S.O.1990,c.M.45), establishes a limit for the City of Hamilton's debt obligations which do not require approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debts of the local improvements works listed herein, being financed by debentures to be issued by the Region on behalf of the City, together with the City of Hamilton's other financial obligations and debts, do not exceed the City's maximum permitted debt and financial obligation limit prescribed by Ontario Regulation 710/92 and therefore, approval of the Ontario Municipal Board to issuance of debentures by the Region hereinafter described is not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the following described works may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$26,000.00.

The construction of a concrete alley first south of Markland Street from Chilton Place westerly to the north-south alley at the cost not exceeding those set out below:

City's portion of the cost	\$23,820.20
Owners' portion of the cost	<u>\$3,179.80</u>
Total Estimated cost of the works	<u>\$26,000.00</u>
Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	
	\$ 90.00

2. The portion of the estimated costs of the said works in the amount of \$2,179.80 shall be borne by the owners of the lands abutting directly on the works and the said estimated cost per metre shall be rated and specially assessed upon the lots abutting directly on the works, according to the extent of their respective frontages therein, by an equal special rate per metre of such frontage payable in annual instalments until fully paid.

3. Pending payment of the abutting owners' portion of the costs referred to in Section 2, the said portion shall be financed by the issue of debentures (subject to the terms listed below) by The Regional Municipality of Hamilton-Wentworth on behalf of the City of Hamilton;
 - (a) to the extent sufficient to provide an amount not exceeding \$2,179.80, and,
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The General Manager, Transportation, Operations and Environment is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and Municipal Clerk are hereby authorized to execute, on behalf of The Corporation of the City, all contracts necessary for the construction of the works.

PASSED this 29th day of February, A.D. 2000.

MUNICIPAL CLERK

MAYOR

(1999) 9 R.T.E.C.10, December 14

SCHEDULE "A"

The construction of a concrete alley first south of Markland Street from Chilton Place westerly to the north-south alley at the costs not exceeding those set out below:

City's Share	\$23,820.20
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Owners' Share	<u>2,179.80</u>
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TOTAL ESTIMATED COST	<u>\$26,000.00</u>
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Estimated Cost per metre frontage	\$90.00
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Fifteen (15) annual instalments

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

To Authorize:

1. The construction as a local improvement an independent concrete sidewalk on the east side of Main Street West along the frontage of 1895 Main Street West, (as described in Schedule "A") upon the petition of the abutting owners pursuant to section 11 of The Local Improvement Act;
2. The imposition of a special assessment upon the lands of the abutting owners in respect of the abutting owners' portion of the cost of the works;
3. The preparation of plans, specifications and reports and the supervision of construction of the said works by the Commissioner of Public Works and Traffic.

WHEREAS a petition for the works hereinafter described to be constructed as local improvements has been lodged with the Clerk pursuant to sections 7 and 11 of the Local Improvement Act, R.S.O. 1990, c.L26;

AND WHEREAS at least two thirds of the owners directly abutting the proposed works, representing at least one-half of the value of the lots liable to be specially assessed, have signed and lodged the said petition with the Clerk for presentation to Council for the City to undertake the said works as local improvements;

AND WHEREAS the Municipal Clerk has, as required by the Local Improvement Act, issued his certificate that the said petition sufficiently meets the minimum requirements of the Local Improvement Act;

AND WHEREAS when Council is presented with a sufficiently signed petition for a work, The Local Improvement Act provides that Council may pass a by-law to undertake the works as a local improvement;

AND WHEREAS the Council of The Corporation of the City of Hamilton did decide (in adopting Item 17 of the 10th Report of the Transport & Environment Committee on September 29, 1998) to authorize preparation of this by-law because it is expedient to undertake the works hereinafter described as local improvements pursuant to the petition received from the abutting owners;

AND WHEREAS the Council has obtained reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Council of The Corporation of the City of Hamilton intends to raise the Corporation's portion of the cost of the works out of its current revenues and, pending payment in full by the abutting owners of the special assessment provided for below, to finance the abutting owners' portion of the costs by borrowing such funds, through the Region's issuance of debentures;

AND WHEREAS the Regional Municipalities Act, (R.S.O. 1990, c.R.8,sec.11) provides that "no area municipality has power to issue debentures", and that Regional Council may borrow money for the purposes of any area municipality;

AND WHEREAS the Ontario Municipal Board Act, (R.S.O.1990,c.O.28,sec.65), states that a municipality shall not authorize any work the cost of which is to be raised in a subsequent year or years until the approval of the Board has first been obtained.

AND WHEREAS the Local Improvement Act (sec.53(7)) states that the amount of monies borrowed to respect of the abutting owners' portion of the cost of the works "...shall not be deemed to be part of the existing debenture debt of the Corporation within the meaning of the provisions of the Municipal Act limiting the borrowing powers of the municipality";

AND WHEREAS Ontario Regulation 710/92 prescribed pursuant to the Municipal Act, (R.S.O.1990,c.M.45), establishes a limit for the City of Hamilton's debt obligations which do not require approval of the Ontario Municipal Board;

AND WHEREAS the financial commitments, liabilities and debts of the local improvements works listed herein, being financed by debentures to be issued by the Region on behalf of the City, together with the City of Hamilton's other financial obligations and debts, do not exceed the City's maximum permitted debt and financial obligation limit prescribed by Ontario Regulation 710/92 and therefore, approval of the Ontario Municipal Board to issuance of debentures by the Region hereinafter described is not required;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the following described works may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$74,000.00.

The construction of an independent concrete sidewalk on the east side of Main Street West along the frontage of 1895 Main Street West at the cost not exceeding those set out below:

City's portion of the cost	\$38,259.00
Owners' portion of the cost	<u>\$35,741.00</u>
Total Estimated cost of the works	<u>\$74,000.00</u>
Estimated Cost per metre frontage payable by the abutting owners in Fifteen (15) annual instalments	\$ 103.00

2. The portion of the estimated costs of the said works in the amount of \$35,741.00 shall be borne by the owners of the lands abutting directly on the works and the said estimated cost per metre shall be rated and specially assessed upon the lots abutting directly on the works, according to the extent of their respective frontages therein, by an equal special rate per metre of such frontage payable in annual instalments until fully paid.

3. Pending payment of the abutting owners' portion of the costs referred to in Section 2, the said portion shall be financed by the issue of debentures (subject to the terms listed below) by The Regional Municipality of Hamilton-Wentworth on behalf of the City of Hamilton;
 - (a) to the extent sufficient to provide an amount not exceeding \$35,741.00, and,
 - (b) repayable over a term not exceeding twenty (20) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Public Works and Traffic is hereby authorized to:
 - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
 - (b) supervise construction of the works.
5. The Mayor and Municipal Clerk are hereby authorized to execute, on behalf of The Corporation of the City, all contracts necessary for the construction of the works.

PASSED this 29th day of February, A.D. 2000.

MUNICIPAL CLERK

MAYOR

(1998) 10 R.T.E.C.17, September 29

SCHEDULE "A"

The construction of an independent concrete sidewalk on the east side of Main Street West along the frontage of 1895 Main Street West at the costs not exceeding those set out below:

City's Share	\$38,259.00
Owners' Share	<u>\$35,741.00</u>
TOTAL ESTIMATED COST	<u>\$74,000.00</u>
Estimated Cost per metre frontage	\$103.00
Fifteen (15) annual instalments	

The Corporation of the City of Hamilton

BY-LAW NO. 00-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 99-058

Respecting:

LAND LOCATED AT MUNICIPAL NO. 723 RYMAL ROAD WEST

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 99-058 on the 27th day of April 1999 to rezone the subject land from "C" (Urban Protected Residential, etc.) District to "DE-3"-H' District (Multiple Dwellings - Holding) District and to establish special requirements with respect to the land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS Section 2 of By-law No. 99-058 provides that upon,

- (i) the owner preparing and submitting a storm water management study to the satisfaction of the applicable Conservation Authorities and the Manager, Development Engineering Section, Regional Environment Department; and,
- (ii) servicing being made available to the subject lands to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department; and,
- (iii) the applicant entering into all required agreements for the provision of services, with the City of Hamilton and the Region of Hamilton-Wentworth, to the satisfaction of the Manager, Development Engineering Section, Regional Environment Department,

the 'H' symbol shall be removed by amendment to By-law No. 99-058;

AND WHEREAS the owner has satisfied the above three conditions;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 158, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of the Planning Act, R.S.O. 1990, Chapter P.13.

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 2 of Report 03-00 of the Planning and Development Committee at its meeting held on the 8th day of February, 2000 directed that By-law No. 99-058 be amended to remove the 'H' (Holding) symbol in respect of the subject lands.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 99-058, passed on the 27th day of April 1999 to the "DE-3" - 'H' (Multiple Dwellings - Holding) District designation of the subject lands, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No.99-058 and forming part thereof, is hereby removed and the development of the lands may proceed in accordance with the "DE-3" (Multiple Dwellings) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 3 of By-law No. 99-058.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirements referred to in section 3 of By-law No. 99-058.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1421a.

4. Sheet No. W-37E of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1421a.

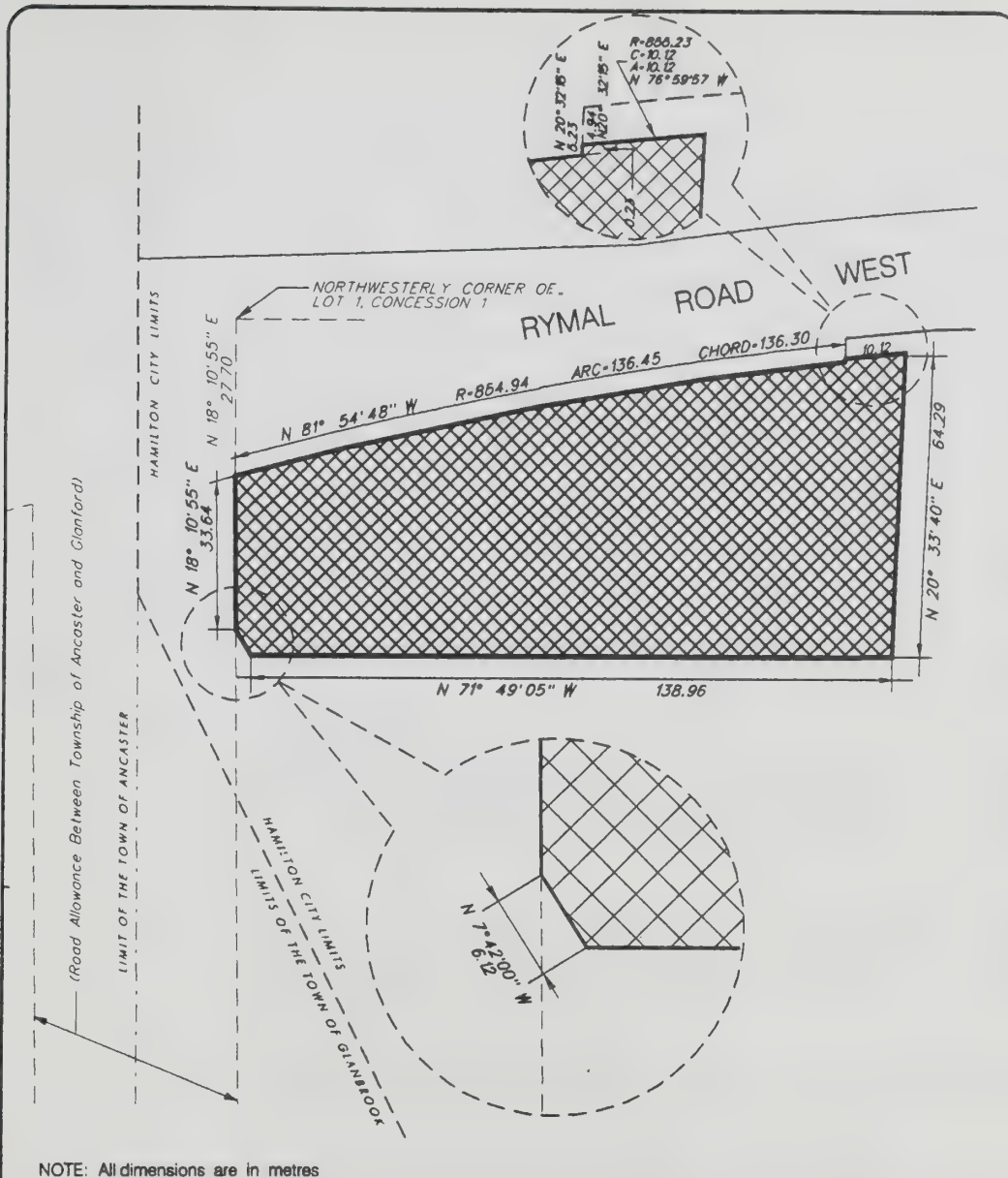
5. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 29th day of February A.D. 2000

MUNICIPAL CLERK

MAYOR

(2000) 03-00 R.P.D.C. 2, February 8
723 Rymal Road West
Jomar Developments Corporation Inc., Owner
ZAR-99-37



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 00-_____
 Passed the _____ day of _____, 00.

 Clerk

 Mayor


City of Hamilton


Schedule "A"

Map Forming Part of
 By-Law No. 00-_____
 to Amend By-Law No. 6593

Community Planning and Development Division

Legend

 Further modification in Zoning from "DE-3"-H' (Multiple Dwellings-Holding) District modified to "DE-3" (Multiple Dwellings) District.

North 	Scale NOT TO SCALE	Reference File No. ZA-89-37
	Date January, 2000	Drawn By B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 00 —

To Remove
Land within the "Kemp Estates" Subdivision, Plan 62M-812
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purposes of conveying two blocks of land shown as Blocks 1 and 3 on Schedule "A" to Lots 10 and 8, Registered Plan 62M-812, respectively, shall not apply to the following lands:

Lot 9 within Registered Plan Number 62M-812, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth;

the extent and boundaries of each of which Blocks 1 and 3 are shown on a plan hereto annexed as Schedule "A".

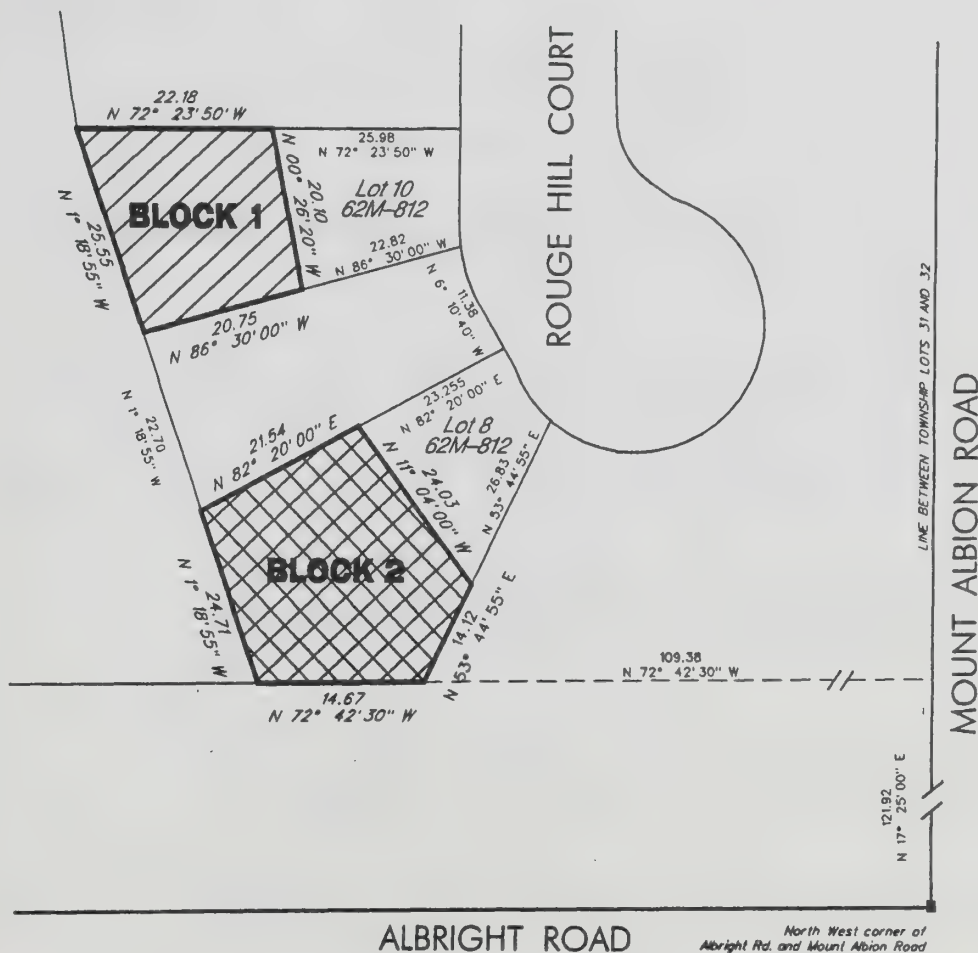
2.
 - (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
 - (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
 - (c) This By-law shall expire on February 1, 2001.

PASSED this 29th day of February

A.D. 2000.

City Clerk

Mayor



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 2000 -
Passed the day of, 2000.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 2000-_____

to Amend By-Law No. 6593

Community Planning and Development Division

Legend

BLOCK 1



Lands to be conveyed to Lot 10,
Registered Plan 62M-812

BLOCK 2



Lands to be conveyed to Lot 8,
Registered Plan 62M-812

North

Scale

NOT TO SCALE

Date

January, 2000

Reference File No.

PLC-97-02

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 00 -

To Remove
Land within the "Gourley Stage 2, Phase 2" Subdivision, Plan 62M- 897
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** – Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** – A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** – An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** – A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** – The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** – The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements and rights of encroachments for building footings shall not apply to the following lands:

Lots 5 to 12, inclusive, Lots 14 to 18, inclusive, Lots 24 to 28, inclusive, Registered Plan 62M-897 "Gourley Stage 2, Phase 2", in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.
2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
- (c) This By-law shall expire on March 1, 2001.

PASSED this 29th day of February A.D. 2000.

Municipal Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 00-

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 99-103

Respecting:

**LANDS LOCATED ON THE SOUTH SIDE OF LOCONDER DRIVE
BETWEEN UPPER GAGE AVENUE AND QUEEN VICTORIA DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 99-103 on the 6th day of July 1999 to change the zoning and to establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "R-4" District, in respect of the lands located on the South side of Loconder Drive between Upper Gage Avenue and Queen Victoria Drive, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 5 of the 02-00 Report of the Planning and Development Committee at its meeting held on the 25th day of January 2000, recommended that Zoning By-law No. 6593, as amended by By-law No. 99-103, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 4 of Zoning By-law No. 99-103 is hereby repealed in its entirety and the following substituted therefor:

"4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1429a".

2. Section 5 of Zoning By-law No. 99-103 is hereby repealed in its entirety and the following substituted therefor:

"5. Sheet No. E-49B of the District Maps is amended by marking the lands referred to in section 1 of this By-law as S-1429a".

3. In all other respects, By-law No. 99-103, is hereby confirmed, unchanged.

4. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 29th day of February A.D. 2000

MUNICIPAL CLERK

MAYOR

(2000) 02-00 R.P.D.C. 5, January 25
Hamilton Habitat for Humanity, Owner
ZAC-99-22

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.99-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and Municipal Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

BY-LAW NO. 00-

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 29TH DAY OF FEBRUARY, 2000.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 29th day of FEBRUARY A.D. 2000

MUNICIPAL CLERK

MAYOR



CAYON HBL AOS
A31
2000



URBAN
MUNICIPAL

AGENDA

CITY OF HAMILTON CITY COUNCIL

Tuesday, March 14, 2000
7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Hamilton Public Library
Urban/Municipal Collection
2nd Floor, 55 York Boulevard
Hamilton, Ontario L8K 3K1
1 BILL

URBAN MUNICIPAL

J. J. Schatz
Municipal Clerk

MAR 10 2000

CALL TO ORDER

GOVERNMENT DOCUMENTS

1. NATIONAL ANTHEM.
2. OPENING PRAYER: Pastor Douglas McClain, New Testament Baptist Church
3. PRESENTATIONS (none at time of printing)
4. ADOPTION OF THE MINUTES OF THE MEETINGS HELD:
 - 4.1 February 29 (Regular); and
 - 4.2 March 7, 2000 (Special)
5. CORRESPONDENCE.
6. REPORTS OF THE STANDING COMMITTEES:
 - 6.1 Transport and Environment Committee – Report 05-00
 - 6.2 Parks and Recreation Committee – Report 05-00
 - 6.3 Planning and Development Committee – Report 05-00
 - 6.4 Finance and Administration Committee – Report 05-00
7. NOTICE OF MOTION FOR NEXT MEETING.
8. QUESTION PERIOD.
9. ADJOURNMENT

MINUTES



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, February 29, 2000

7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, D. Haining,
G. Copps, D. Wilson, C. Collins, F. Eisenberger, T. Jackson,
B. Charters, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Regrets: Alderman B. Morelli – Illness

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Reverend Kristine Swire led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented a Certificate of Recognition to the Bantam Bengals, Hamilton Lacrosse Association for winning the 1999 Provincial "C" Division Championship.

Mair Davies presented the Welsh flag to Mayor Morrow.

Laura Babcock and Dennis Concordia spoke on behalf of the Safe Communities Coalition to Council and announced that Hamilton-Wentworth is now the largest Safe Community in Canada.

ADOPTION OF MINUTES

The Minutes of the meetings held February 8, 2000 (regular), February 8, 2000 (special), February 11, 2000 (special) and February 23, 2000 (special) were adopted as circulated.

CORRESPONDENCE

1. Application dated February 24, 2000 from Casablanca Inc., for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District for property on the north side of the future extension of Graywood Road, south of Glenview Place, Hamilton, Ontario.

Received.

2. Application dated February 24, 2000 from Bryan Leon for removal of the 'H' Holding Provision for property at 694 Upper James Street, Hamilton, Ontario.

Received.

3. Application dated February 14, 2000 from Mr. Ivo Civitarese, 555 Queenston Road, Hamilton, Ontario for a further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) for 180 Walnut Street South, Hamilton, Ontario.

Received.

4. Application dated February 16, 2000 from Philpott Memorial Church for a change in zoning from "L-c" (Planned Development – Commercial) district to "H" (Community Shopping and Commercial, etc.) District modified for part of 89-91 Vine Street, Hamilton, Ontario

Received.

5. Letter dated February 16, 2000 from Marvin Ryder, Chair, Transition Board for the new City of Hamilton Re: Secondment of a municipal employee to the Transition Board.

It was moved by Alderman Eisenberger and seconded by Alderman Kelly

That, as requested by the Transition Board, approval be given for the secondment of Darryl Lee of the Municipal Clerk's Office to the Transition Board, commencing March 6, 2000 for the remainder of the year, to act as the Returning Officer for the fall municipal elections. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, and the Nominating Committee, be now considered in Committee of the Whole with Alderman Horwath in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 04-00

It was moved by Alderman Wilson and seconded by Alderman Caplan that Section 1 of Report 04-00 of the Transport and Environment Committee be amended by adding the following:

- (d) That the proponent agree not to use the side entrance; and,
- (e) That the proponent agree not to apply to the Alcohol and Gaming Commission of Ontario for increased seating.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -12.

NAYS: Aldermen Kiss, Horwath, Corsini, Copps. - 4.

CARRIED.

PARKS AND RECREATION COMMITTEE – REPORT 04-00**Section 1 Re: Results of Insurance Review – Scott Park Minor Hockey Assoc.**

It was moved by Alderman Haining and seconded by Alderman Copps that Section 1 Report 04-00 of the Parks and Recreation Committee be referred back to a special meeting of the Parks and Recreation Committee before the end of next week.

Recorded vote on referral back.

YEAS : Aldermen Kiss, Haining, Copps. –3.

NAYS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –13. **LOST.**

Recorded vote on main motion.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –13.

NAYS: Aldermen Kiss, Haining, Copps. –3.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 04-00**FINANCE AND ADMINISTRATION COMMITTEE - REPORT 04-00****Section 2 Re: 2418 Barton Street East****Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: Alderman Copps.-1.

CARRIED.

Section 5 Re: Remuneration and Expenses Paid to Members of Council and Members of Other Bodies for the year 1999 (FIN00017 – Revised)

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Section 5 of Report 04-00 of the Finance and Administration Committee be amended to add the word "Revised" in line 2 of the Title to read as follows:

Section 5 Re: Remuneration and Expenses Paid to Members of Council and Members of Other Bodies for the year 1999 (FIN00017 – Revised) (Item 14). CARRIED.

CITY OF HAMILTON LICENSING COMMITTEE - REPORT 02-00

Section 1 Re: Taxi Licence

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Alderman Copps. -1.

CARRIED.

NOMINATING COMMITTEE - REPORT 02-00

ACTING MAYOR FOR THE MONTH OF MARCH 2000

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman B. Charters be appointed Acting Mayor for the month of March, 2000. **CARRIED.**

* * * * *

Council recessed in order to enable the Committee of the Whole to meet to consider a staff report relative to the Lease Agreement for the Sheraton Hotel. Council subsequently reconvened and it was moved by Alderman Corsini and seconded by Alderman Caplan that the motion respecting the lease agreement for the Sheraton Hotel approved by City Council at its meeting held February 11, 2000 and subsequently reconsidered be approved as amended reading as follows:

- (a) That the City as Landlord of the Sheraton Hotel, 116 King Street West, grant consent to our tenant, namely GGS Hotel Holdings Canada Inc. ("GGS") to each of the following, subject to the conditions in this resolution;
- (i) Sale of GGS shares to Allied Corporate Holdings S.A.; and,
 - (ii) Assignment of Ground Lease to Chip Reit No. 37 Holdings Ltd.; and,
 - (iii) Sublease of the hotel to Chip Reit No. 37 Operations Ltd. and,
 - (iv) Change of Mortgagee of Ground Lease to 3682153 Canada Inc.; and,
- (b) That the Mayor and Clerk be authorized to execute documents to implement the foregoing in a form satisfactory to Corporate Counsel, including the documents referred to in this resolution and the following documents:
- (i) Assignment of Ground Lease Agreement;
 - (ii) Lease Assumption Agreement;
 - (iii) An Estoppel Certificate addressed to GGS, Chip Reit No. 37 Holdings Ltd. regarding the Ground Lease and regarding such other agreements with the Hotel as the Corporate Counsel may determine, subject to the qualifications on matters remaining to be completed and/or fulfilled by GGS, to be prepared by the Corporate Counsel; and,
- (c) That the City, as Landlord of the Sheraton Hamilton Hotel, 116 King Street West, agree to accept in respect of the City's loan for the sub basement storage level of the Hotel, from GGS Hotel Holdings Canada Inc. ("GGS") our tenant, the sum of \$365,000 upon closing of the sale of the Hotel Lease and payments over twenty-five years, by a series of stepped re-payments, as follows:
- for the next 10 years, \$60,000. per year;
 - for the following 5 years, \$100,000. per year;
 - for the following 5 years, \$130,000. per year;
 - for the last 5 years of the 25 year repayment period, \$160,000. per year;
 - each of the said annual payments would be paid in quarterly payments at the end of each quarter;
 - interest would be payable at the prime lending rate of the CIBC (or such other financial institution then acting as banker for the City) on any payment not received on the due date;
 - GGS and its successors shall continue to operate and maintain the Hotel in accordance with the standards and requirements in the Ground Lease; and,
 - the loan becomes immediately due and payable in full should the hotel not continue as a Sheraton or four star equivalent or the hotel be in default of payments.
- (d) That the Ground Lease dated May 3, 1983 (including its amending agreements) be further amended by an amending agreement to implement the said revised loan re-payment provisions, such amending agreement to be in a form satisfactory to Corporate Counsel; and,
- (e) That these consents also be subject to the following conditions:

- (i) certified resolutions of the shareholders and directors regarding the said proposed transactions; other documents, including solicitor's opinions and third party consents as the Corporate Counsel and its legal advisers may advise; and,
 - (ii) an Indemnity Agreement between the Chip Reit and the City guaranteeing the performance of the Ground Lease by the new tenant, Chip Reit No. 37 Holdings Ltd.; and,
 - (iii) registration on closing by GGS of discharges of all documents on title in favour of 3682153 Canada Inc and Chigin-Seiho Housing Loan Co. Ltd and related security documents; and,
 - (iv) that GGS pay on closing of the sale the costs of the City's external legal counsel and the financial consultant retained to advise the City on this proposed sale of the Lease; and,
 - (v) the proposed sublease shall be in compliance with the provisions of the Ground Lease; and,
 - (vi) that the City receive assurances that the Hotel shall continue under the Sheraton name; and,
- (f) That the approvals listed above be conditional upon each of the said matters being carried out and completed as one approved transaction and that this approval only be effective in respect of the said named parties and only during the period ending 2000 March 31; and,
- (g) That this resolution shall take effect and come into force upon its approval by the Transition Board and staff are hereby authorized to submit this resolution to the Board. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, the City of Hamilton Licensing Committee, the Nominating Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

Note: The meeting adjourned at 9:40 p.m.

Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

J. J. Schatz, Municipal Clerk
February 29, 2000
JJS/dg



MINUTES

CITY OF HAMILTON SPECIAL CITY COUNCIL

Tuesday, March 7, 2000
10:15 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
D. Haining, B. Morelli, D. Wilson, G. Copps,
C. Collins, F. Eisenberger, B. Charters, T. Jackson,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman D'Amico and seconded by Alderman Collins that Rule No. 3(d) of the City Procedural By-law respecting the notice required for calling a special meeting of City Council be waived. **CARRIED.**

It was moved by Alderman D'Amico and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the appointment of a City Manager with Mayor R. Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Morelli, Copps, Wilson, Collins, Eisenberger, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

RESOLUTIONS

Appointment of City Manager; Demolition Permit for 65 Biggar Ave; and
Adoption of Bills E-003 and E-004

Re: Appointment of Acting City Manager

It was moved by Alderman D'Amico and seconded by Alderman Collins:

- (a) That Mr. James P. Bruzzese be appointed Acting City Manager for the City of Hamilton/Region of Hamilton-Wentworth, Salary Schedule A, Step 1 effective April 3, 2000 and terminating on December 31, 2000; and
- (b) That the Director of Legal Services and Corporate Counsel be authorized and directed to prepare the appropriate by-laws appointing Mr. Bruzzese to the position of Acting City Manager.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Morelli, Copps, Collins, Eisenberger, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Wilson -1.

CARRIED.

Re: Adoption of Bills

It was moved by Alderman D'Amico and seconded by Alderman Collins

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

E-003 A By-law to Appoint a Chief Administrative Officer/City Manager for the Corporation of the City of Hamilton.

E-004 A By-law to Confirm the Proceedings of The Council of the Corporation of the City of Hamilton. **CARRIED.**

Re: Rule No. 9 - Demolition Permit - 65 Biggar Avenue

It was moved by Alderman Morelli and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a demolition permit for 65 Biggar Avenue.
CARRIED.

* * * * *

Re: Demolition Permit – 65 Biggar Avenue

It was moved by Alderman Morelli and seconded by Alderman Collins that the Building Commissioner be authorized to issue a demolition permit for 65 Biggar Avenue in accordance with By-law No. 74-290 pursuant to Section 33 of the Planning Act, as amended.
CARRIED.

* * * * *

It was moved by Alderman D'Amico and seconded by Alderman Collins that the Report of the Committee of the Whole on the resolution respecting the appointment of a City Manager and a Demolition Permit for 65 Biggar Avenue, be adopted.
CARRIED.

* * * * *

Hamilton City Council then adjourned at 10:35 p.m.

* * * * *

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
March 7, 2000
JJS/dg**

CORRESPONDENCE

Correspondence:

1. Application dated March 7, 2000 from Columbia International College, 1033 Main Street West, Hamilton for a modification to the "C" (Urban Protected Residential, etc.) District for property at 1015 Main Street West, Hamilton, Ontario.

Recommendation: Be Received.

**TRANSPORT & ENVIRONMENT
COMMITTEE**



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, March 6, 2000
9:30 a.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Mayor R. M. Morrow, Aldermen M. Kiss, A. Horwath, B. Morelli, T. Jackson, T. Anderson, F. D'Amico

Also Present: Aldermen M. Caplan, G. Copps, B. Kelly
C. Guthro, M. Hazell, R. Meiers, K. Extance, B. Price, C. Biggs

Alderman C. Collins, Chairperson, called the meeting to order.

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 05-00 AND RESPECTFULLY RECOMMENDS:

1. **By-law to Stop Up, Close and Sell a Portion of Cathcart Street and to Sell a Closed Portion of the east-west alley lying south of Barton Street and east of Cathcart Street (PWT00064) (Item 3.1)**

That an appropriate by-law be prepared to the satisfaction of Corporate Counsel to:

- (a) stop up, close and sell a portion of Cathcart Street on Registered Plan 287 designated as Parts 2, 3 and 5 on Plan 62R-14133; and,
- (b) sell the closed east/west alley, lying south of Barton Street and east of Cathcart, designated as Part 4 on Plan 62R-14133.

2. Hamilton Street Railway Annual Transit Shelter and Landing Pad Programs (TRA00006) (Item 5)

That the Region's Transportation Services Committee be advised that transit shelters be installed at the following locations:

- (a) Kenilworth Avenue North at Main Street East; and,
- (b) Barton Street East at Mary Street; and,
- (c) Barton Street East at Sanford Avenue; and,
- (d) Macklin Street North at Dufferin Street (Shalom Village); and,
- (e) Greenhill Avenue at Country Club Drive; and,
- (f) Garth Street, opposite No. 1440 Garth Street; and,
- (g) Upper Kenilworth Avenue, opposite Recalmuto Street.

3. Moratorium on Encroachment Fees in the Downtown Core (PWT00059) (Item 6)

- (a) That the moratorium on encroachment fees in the downtown core which was previously approved for the period of January 1, 1998 to September 1, 1999, be extended to December 31, 2000; and,
- (b) That the boundary of the downtown core for the exemption of encroachment fees for outdoor patio cafes be extended southerly to Herkimer Street and northerly to Burlington Street.

4. Proposed Construction Surface-Treated Roadways – Ferguson Avenue, from King William Street to Wilson Street; Howard Avenue, from South Bend to the North End (PWT00061) (Item 7)

- (a) That the General Manager, Transportation, Operations and Environment be authorized to undertake the construction of a finished roadway and associated sidewalk reconstruction on Ferguson Avenue between King William Street and Wilson Street and Howard Avenue between South Bend Road and the north end at an estimated cost of \$513,000 and \$249,000 respectively; and,
- (b) That these projects be funded from the 2000 Capital Budget, City's and Owner's Share of Locals (Residential); and,

- (c) That the proposed alteration of Ferguson Avenue North, between King William and Wilson Streets, to provide for road width varying from 8.5m to 12.7m, as shown on Appendix "A", be advertised under Section 300 of the Municipal Act, being Chapter M.45 of the Revised Statutes of Ontario 1990; and,
- (d) That the necessary By-law be prepared by the Acting Commissioner of Public Works and Traffic in a form satisfactory to Corporate Counsel and advertised by the Municipal Clerk.

5. Use of Pesticides (PWT00035) (Item 8)

- (a) That the Region's Environmental Services Committee be requested to undertake a public awareness/education component on the use of pesticides; and,
- (b) That a resolution to prohibit the use of pesticides for the Committee's review be formulated, to be submitted to the Annual Meeting of the Association of Municipalities of Ontario for consideration; and,
- (c) That staff bring a report back on the feasibility of installing an irrigation system at Bayfront Park; and,
- (d) That CUPE Local 5 be advised of City Council's decision.

6. Routine Amendments to City of Hamilton Traffic By-law 89-72 – Transport and Environment Committee Meeting – March 6, 2000 (PWT00060) (Item 9.1)

That the requests for routine amendments, attached hereto as Appendix "B", be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

7. Supply and Delivery of Traffic Sign Posts and Hardware (TOE00001) (Item 9.2)

That purchase orders be issued to:

McKeough Supply Inc., Hamilton, Ontario,
Modern Ornamental Iron Works, Hamilton, Ontario,
Bochek Fabricating Limited, Hamilton, Ontario,

Canada Kiosk Corporation, Grimsby, Ontario, and
Mechanical Advertising Inc., Oshawa, Ontario.

for the supply and delivery of traffic sign poles and hardware as and when required during 2000 by the Transportation, Operations and Environment Division, with an estimated expenditure in 2000 of approximately \$366,000 to be financed through the Traffic Signs Materials Account No. COHAM-53072-466130.

8. To Incorporate Certain Land into Various Streets by By-laws (TOE00002)
(Item 9.3)

- (a) That the following City land be incorporated into the following streets:

Annabelle Street	Parts 4,5,7	Plan 62R11755
Centennial Parkway	Part 1	Plan 62R15214
Claudette Gate	Part 1	Plan 62R12354
Donnici Drive	Blk 32	Plan 62M-750
Dunsmere Road	Part 1	Plan 62R14682
Marilyn Court	Part2	Plan 62R14840
	Blk 22	Plan 62M-864
Townmansion Drive	Blks 56, 57,58	Plan 62M-836

- (b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council.

9. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-010 A By-law to stop up, close and sell a portion of Cathcart Street and to sell a closed portion of the east-west alley lying south of Barton Street and east of Cathcart Street
- (b) A-011 A By-law to incorporate City land designated as Parts 4, 5 and 7 on Plan 62R011755 into Annabelle Street
- (c) A-012 A By-law to incorporate City land designated as Part 1 on Plan 62R-15214 into Centennial Parkway

- (d) A-013 A By-law to incorporate City land designated as Part 1 on Plan 62R-12354 into Claudette Gate
- (e) A-014 A By-law to incorporate City land designated as Block 32 on Plan 62M-750 into Donnici Drive
- (f) A-015 A By-law to incorporate City land designated as Part 1 on Plan 62R-14682 into Dunsmure Road
- (g) A-016 A By-law to incorporate City land designated as Part 2 on Plan 62R-14840 and Block 22 on Plan 62M-864 into Marilyn Court
- (h) A-017 A By-law to incorporate City land designated as Blocks 56,57 and 58 on Plan 62M-836 into Townmansion Drive
- (i) A-018 A By-law to amend Traffic By-law 89-72 to Regulate Traffic

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes - February 21, 2000 (Item 2)

That the Minutes of the meeting of the Transport and Environment Committee held on February 21, 2000, be adopted.

(c) Public Meeting By-law to Stop Up, Close and Sell a Portion of Cathcart Street and to Sell a Closed Portion of the east-west alley lying south of Barton Street and east of Cathcart Street (PWT00064) (Item 3.1)

In accordance with the requirements of the Municipal Act, the proposed closure was advertised in the Spectator for four consecutive weeks. The Chairman requested if there was anyone present wishing to address this issue, to which there were none.

(d) **Cleaning Equipment – Sidewalks (Item 4)**

Mayor R. Morrow expressed concern that with the arrival of spring, litter from the winter months is becoming very evident in areas of the City. As a result of the Mayor's concerns, the following directions are to be undertaken by staff:

- (i) That staff report bring a report back to the Transport and Environment Committee on the following issues:
 - 1. developing a strategy for an overall cleanup of the City, (including areas such as railway rights-of-way, abutting hydro corridors, on/off ramps), on an on-going basis, involving staff, political and volunteer (i.e., Boy Scouts, Girl Guides, Rotary Clubs, schools, etc.) participation; and,
 - 2. sidewalk cleaning equipment currently being used for clean up; and,
- (ii) That appropriate staff of the Building Department be directed to prepare a by-law which would address the enforcement of owners to maintain their properties in a clean and neat fashion, for the consideration of the Transport and Environment Committee.

Alderman C. Collins advised that representatives from the "Keep Hamilton Clean" Committee have requested an opportunity to address the Committee, and will be scheduled at a later date.

(e) **Moratorium on Encroachment Fees in the Downtown Core (PWT00059)**
(Item 6)

That staff be requested to bring a report back to the Committee on what financial effect the moratorium on encroachment fees for outdoor patio cafes would have if extended beyond the downtown core (e.g., Ottawa Street, Concession Street).

Alderman T. Anderson wished to be recorded as opposed to the main motion as referred to in Section 3.

(f) **Other Business (Item 10)**

(i) **Hess Village**

Alderman A. Horwath requested that staff, in consultation with the Special Events Advisory Team, merchants and community representatives, develop site specific restrictions/guidelines for special events/festivals in Hess Village, taking into consideration road closure requirements, frequency of events/festivals, etc., and report back to the Committee.

(ii) **Rennie Street Landfill Site**

At the request of Alderman D. Wilson, staff provided the Committee with an update of the condition of the silt fences at the Rennie Street Landfill Site.

(g) **Information Items (Item 9.4)**

That the following items be received:

- (i) Winter Operations – January 1 to February 20, 2000 (PWT00063)
- (ii) Recovery of Costs Associated with the Enforcement of By-law 85-159 respecting "Collectible Waste" (PWT00056)
- (iii) Requests to Remove Through Street Designations (PWT00044)

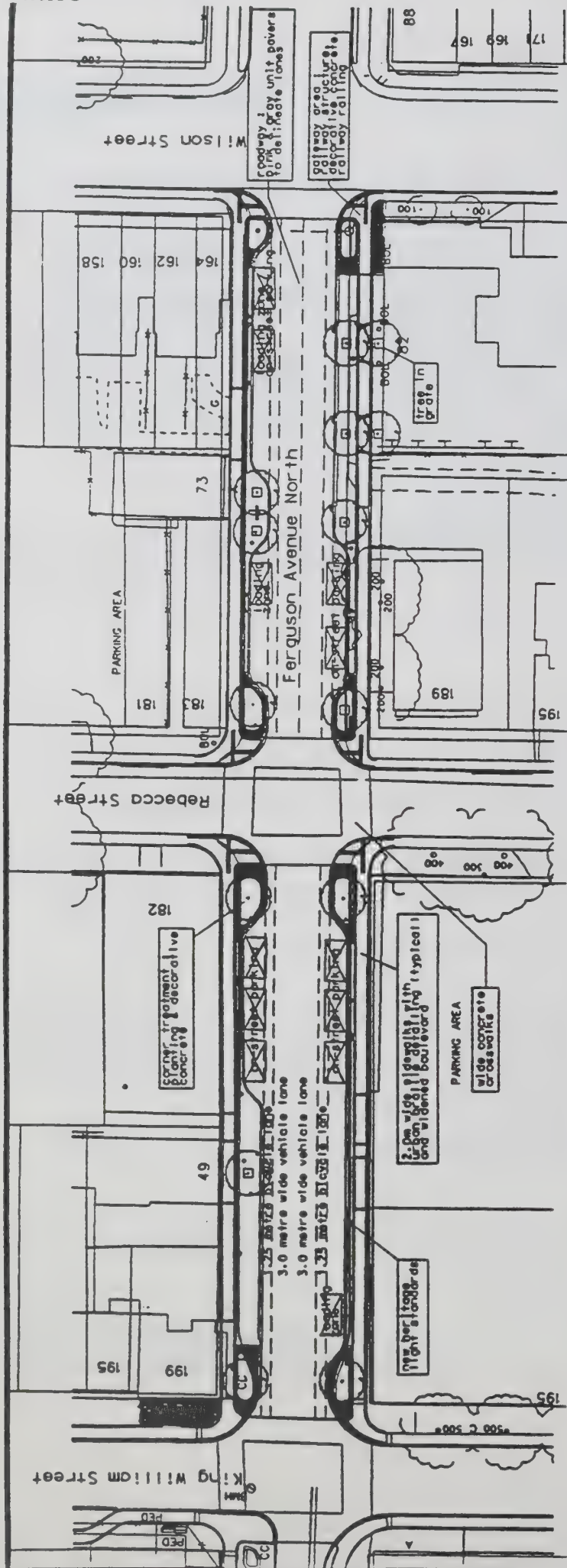
Note: Alderman M. Kiss requested that the removal of the through street designation on Aberdeen Avenue, between Longwood Road and Dundurn Street, be placed on the next agenda of the Transport and Environment Committee.

- (iv) Methyl Tertiary Butyl Ether (PWT00062)

Note: The meeting of the Transport and Environment Committee adjourned at 11:00 a.m.

**Alderman C. Collins, Chairman
Transport and Environment Committee**

Carolyn Biggs
Legislative Assistant
March 6, 2000



City of Hamilton	
Project	Ferguson Avenue Revitalization Phase 4
Streetscape Concept	
Drawn	1:100
Checked	
Approved	
Date	



Appendix "A" as referred to in
Section 1 of Report 05-00 of the
Transport and Environment
Committee

Ferguson Avenue Revitalization
King William Street to Wilson Street

Preliminary Streetscape Concept

**Appendix "B" as referred to in
Section 6 of Report 05-00 of the
Transport and Environment Committee**

Ward 1

- (a) Yolanda Lasardo has requested that the existing reserved "Permit Parking" regulation on the south side of Florence in front of her mother's home at 149 Florence Street be removed as the tenants have moved and the space is no longer required.
- (b) Mike Lulgiuraj, 151 Emerson Street, has requested that the existing "No Parking" loading zone on the south side of Royal, adjacent to his business be removed as it is no longer required.

Ward 2

- (a) The Hamilton-Wentworth Regional Police Service has requested that the four parking meters on the north side of King William, directly in front of the Texas Border Bar and Grill be replaced with a full-time "No Parking" regulation to alleviate the congestion caused by motorists that "double park" in the late evening.

Ward 3

- (a) Staff has received a request from Alderman Bernie Morelli on behalf of the owner of Duarte's Grocery, 417 Barton Street East, that the first two parking meters on the west side of Cheever, north of Barton, adjacent to his business be replaced with a "No Parking" loading zone.
- (b) Mrs. Gulley, 103 Gibson Avenue, has requested that the existing reserved "Permit Parking" regulation on both sides of Gibson, implemented for her use, be removed as she has moved.
- (c) Staff has received a petition signed by 11 of the 18 homes abutting Lorne between Afton and Maplewood requesting that the existing "Permit Parking, 8:00 am to 5:00 pm, Monday to Friday" regulation on the east side of Lorne be extended to a full-time "Permit Parking" regulation. Staff has contacted an additional three residents. Twelve residents are in favour of extending the hours of the regulation, one is opposed and one has no opinion.

- (d) Staff has received a petition requesting that the existing "Permit Parking" regulation on the south side of Lloyd between Gage and Chapple be removed to allow unrestricted parking. The petition was signed by representatives of seven of the nine properties abutting the block, all of whom support the request.
- (e) Mrs. Joan Henderson, 31 Oak Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Oak directly in front of her home since she is disabled.
- (f) Joanne Kendall, 14 Oak Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the east side of Oak directly in front of her home since her mother is disabled.
- (g) Staff has received a request from Ms. Beverly Thompson, 192 Cumberland Avenue, that a reserved "Permit Parking" regulation be implemented on the south side of Cumberland, directly in front of her home, for use by her mother who is disabled.
- (h) Last year, staff received a request from Amcan Castings Ltd., 10 Hillyard Street, that a full-time "No Parking" regulation be implemented on the west side of Hillyard between Brant and Munroe, directly in front of their property. Report TEC-099-99 concerning this request was tabled by Alderman Bernie Morelli at the Transport and Environment Committee meeting on April 19, 1999, until such time that concerns expressed by area residents were resolved. Area residents and representatives from Amcan Castings Ltd. have agreed to allow a 45-foot section on the west side of Hillyard at the southerly end of the block to remain as unrestricted parking.

Ward 4

- (a) Mrs. Sullivan, 15 Edgar Street, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Edgar in front of her home, since her husband is disabled.
- (b) Gail Marshall, 66 Park Row North, has requested the implementation of a reserved "Permit Parking" regulation on the east side of Park Row in front of her home, since her husband is disabled.

Ward 6

- (a) Aldermen Tom Jackson and Bob Charters have advised of a request from Denise Rackus and Abe Friesen, Board of Directors, 1675 Upper Gage Avenue, that a full-time "No Parking" regulation be implemented on the east side of Upper Gage between Rymal and Ossington, to facilitate two-way traffic flow and driveway movements.
- (b) Staff has received a petition requesting that the existing "No Parking, 8:30 am to 6:00 pm, Monday to Friday" regulation and the full-time "No Parking" regulation on both sides of Rosanne between Palmer and the westerly end be replaced by a "Permit Parking, 9:00 am to 5:00 pm, Monday to Friday" regulation. The petition has been signed by representatives of 19 of the 27 properties abutting the block, all of whom support the requested change. A maximum of 15 permits can be issued to the residents.

PARKS AND RECREATION COMMITTEE



REPORT

CITY OF HAMILTON PARKS AND RECREATION COMMITTEE

Monday, March 6, 2000
1:15 p.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman B. Morelli (Chairperson) Alderman M. Kiss (Vice-Chairperson) Mayor R. M. Morrow Aldermen R. Corsini, G. Copps, F. Eisenberger, T. Jackson, T. Anderson, D. O'Sullivan
Also Present:	Aldermen M. Caplan, C. Collins, F. D'Amico, Mayor A. Bain, K. Duncliffe, C. Guthro, B. Chrystian, R. Zbucki, D. Collins, G. Makins, C. Secore, S. Merlo-Orzel, Chief K. Robertson, K. Beattie, B. Price, S. Dembe, S. Gibson, C. McCann, R. McKee, D. Beland, B. Bain, C. Touzel

Alderman B. Morelli, Chairperson, called the meeting to order.

THE PARKS AND RECREATION COMMITTEE PRESENTS REPORT 05-00 AND RESPECTFULLY RECOMMENDS:

1. **The Hamilton Children's Museum Future Expansion (CSC00011) (Item 3.2(b))**
 - (a) That City Council express, in principle, support for the future expansion of the Hamilton Children's Museum; and,
 - (b) That authorization be given to the Friends of the Hamilton Children's Museum to initiate a fundraising plan for an expanded facility providing the plan is pre-approved by Council; and,
 - (c) That staff be authorized and directed to prepare a capital project submission for Council in the 2001-2010 capital budget project with the amount net of any funding efforts; and,
 - (d) That the Friends of the Hamilton Children's Museum and staff be authorized to explore opportunities for expanding the Hamilton Children's Museum in the north-east area of Gage Park.

2. Crematorium/Visitation Centre (PWT00053) (Item 5)

That the Acting Commissioner of Public Works and Traffic be authorized to issue a new Request for Proposal for the purpose of a joint venture between the public and private sectors for the construction and operation of a Crematorium/Visitation Centre.

3. Leash Free Area (PWT00050) (Item 6)

- (a) That the Acting Commissioner of Public Works and Traffic or his designate be authorized to finalize arrangements with the SPCA for the reimbursement of City costs incurred in 1999 for development of the leash free project adjacent to the SPCA headquarters on Dartnall Road; and,
- (b) That such reimbursement of the City by the SPCA shall be made from the funds generated by the \$1 increase in the price of dog tags, called "surcharge revenues" (as detailed in the Leash-Free Zones Project Report dated November 13, 1998) from the 1999 dog tag sales following completion of the SPCA's financial audit for 1999 and such other sources as may be determined by the SPCA; and,
- (c) That to the extent that any financial obligations for reimbursement as set out in (a) and (b) above, remain outstanding after initial payment by the SPCA any such obligation shall be paid to the City from surcharge revenues from 2000 dog tag sales following completion of the SPCA's financial audit for 2000; and,
- (d) That the Mayor and the Municipal Clerk be authorized and directed to execute an agreement with the SPCA for this leash free project, covering such issues as liability, maintenance, financial responsibilities, and project administration, such agreement to be in a form satisfactory to the Acting Commissioner of Public Works and Traffic and to Corporate Counsel; and,
- (e) That the Mayor and the Municipal Clerk be authorized and directed to execute an agreement with the SPCA providing for the payment by the SPCA to the City of surcharge revenues collected following the completion of reimbursement as described in Report PWT00050 for the purposes of generating a source of revenue for the creation of additional leash-free projects within the City of Hamilton, such agreement to be in a form satisfactory to the Acting Commissioner of Public Works and Traffic and to Corporate Counsel.

4. **Taste of Hamilton - Sale of Alcoholic Beverages, Parking Vehicles and Amusement Rides at Bayfront Park (CSC00028) (Item 7)**

- (a) That approval, as required by Sections 11 and 29 of Parks By-Law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to Greenshine Promotions and Yellowhead Kemp Association to sell alcoholic beverages, park vehicles and hold carnival rides at The Taste of Hamilton event in Bayfront Park, from June 22-25, 2000 inclusive; and,
- (b) That the licensed tent area at The Taste of Hamilton event operate during the following hours:

Thursday	June 22	4:00 p.m. -11:00 p.m.
Friday	June 23	4:00 p.m. -11:00 p.m.
Saturday	June 24	12:00 noon - 10:00 p.m.
- (c) That an entrance fee of \$2 per day and a weekend pass of \$5 (for unlimited entrance) be permitted to be charged of participants to enter the enclosed festival grounds of Bayfront Park over the duration of The Taste of Hamilton event; and,
- (d) That a parking fee of \$5 be permitted to be charged to park vehicles in Bayfront Park during The Taste of Hamilton event.

5. **2000 Special Events with Alcohol and Parking Vehicles in a Park - Request for Approval under Parks By-law 95-126 as amended (CSC00027) (Item 8)**

That approval, as required by Section 11, to sell alcoholic beverages, and Section 29, to park vehicles in a park, of Parks By-law No. 95-126, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the following organizations:

- (a) Canadian Society of Association Executives – Trillium Chapter – Commonwealth Square, June 7, 2000, 11:30 a.m. – 1:30 p.m. to hold an outdoor BBQ.
- (b) Hamilton Pride Committee, June 10, 2000, noon – 11:00 p.m. - Dundurn Park Pavilion to hold a picnic and dance.
- (c) The Portuguese Association of St. Michael the Archangel of Hamilton, June 16-18, 2000 - Dundurn Park, noon – 11:00 p.m., to hold their annual festival.

- (d) Hamilton Folk Arts Heritage Council, It's Your Festival – Gage Park - June 30-July 3, noon – 11:00 p.m.
- (e) The Greater Hamilton Chinese Dragon Boat Race Society – Bayfront Park - July 8 and 9, 2000, noon – 11:00 p.m. to hold annual Dragon Boat Races.
- (f) Hamilton and District Labour Council – September 4, 2000, noon - 10:00 p.m. in Dundurn Park Pavilion to hold Annual Labour Parade/Picnic.

6. **The Hamilton Tiger Cats Football Club - Alcohol and Fireworks in a Park - Request for Approval (CSC00026) (Item 9)**

That approval, as required by Section 17 (01) and Section 26 of the Fireworks By-law No. 90-198, Section 5 and Section 11 of Parks By-law No. 95-126, as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be granted to the Hamilton Tiger Cat Football Club (1097694 Ontario Limited) to hold fireworks displays in Ivor Wynne Stadium and sell alcohol in Brian Timmis Stadium on the following game days:

Wednesday, June 21	5:30 p.m. - 7:00 p.m.
Friday, July 7	5:30 p.m. - 7:00 p.m.
Friday, July 21	5:00 p.m. - 7:00 p.m.
Friday, August 4	5:30 p.m. - 7:00 p.m.
Friday, August 18	5:30 p.m. - 7:00 p.m.
Monday, September 4	11:00 a.m. - 12:30 p.m.
Saturday, September 23	12:00 noon - 1:30 p.m.
Saturday, September 30	12:00 noon - 1:30 p.m.
Friday, October 13	5:30 p.m. - 7:00 p.m.
Sunday, November 5	2:00 p.m. - 3:30 p.m.
Sunday, November 12	11:00 a.m. - 12:30 p.m.
Sunday, November 18	11:00 a.m. - 12:30 p.m.

7. **Approval as Required by Parks and Fireworks By-laws - Various Fireworks Displays and Amusement Rides in Parks (CSC00025) (Item 10)**

That approval, as required by Section 26 of the Fireworks By-law No. 90-198, Section 5 and Section 11 of the Parks By-law No. 95-126, as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be granted to the following organizations to hold fireworks displays, park vehicles and hold carnival rides in a park:

- (a) Communita Racalmutese Maria SS del Monte (Raculmutese Festival) June 16 –18, 2000 in Bayfront Park from 11:00 a.m. – 11:00 p.m.; and,
- (b) Festa S. Antonio di Padova (St. Anthony's Feast) June 18, 2000 in Ivor Wynne Stadium from 11:00 a.m. – 11:00 p.m.; and,
- (c) That a City of Hamilton Noise By-law Officer monitor these events as deemed necessary by the Acting Commissioner of Public Works and Traffic.

8. **Hamilton Plumber's Association Annual Hockey Tournament - Mountain Arena - April 7-8, 2000 - Sale of Alcoholic Beverages (CSC00023) (Item 11)**

That approval be granted to the Hamilton Plumber's Association to sell alcoholic beverages in Mountain Arena on April 7 and 8, 2000 from 12:00 p.m. – 12:00 a.m. by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence.

9. **Hamilton Senior Games Golf Tournament - Chedoke - Martin Golf Course - May 8, 2000 - Waiving of Green Fees (CSC00022) (Item 12)**

That the General Manager of Community Services be authorized to waive green fees in order to host the annual Hamilton Senior Games Golf Tournament at Chedoke – Martin Golf Course on May 8, 2000 (rain or shine).

10. **Canadian Open Wheelchair Tennis Championships - Rosedale Tennis Club - June 21-25, 2000 (CSC00030) (Item 13)**

- (a) That City Council authorize a grant in the amount of \$9,000 to the Ontario Wheelchair Sports Association to host the Canadian Open Wheelchair Tennis Championships to assist with the costs in hosting this Championship, to be held in Hamilton and surrounding area from June 21 – 25, 2000; and,
- (b) That the Finance and Administration Committee recommend a method of financing on the basis that this is a conference with municipal subject content and, therefore, eligible for financial support.

11. **Application for a Youth Wage Subsidy Grant from Cultural Careers Council Ontario for the Purpose of Hiring a Conservation Technician Intern - Cultural Branch (CSC00017)** (Item 14)

That the General Manager of Community Services be authorized to apply for a provincial grant in the amount of \$5,775 from Cultural Careers Council Ontario through their Youth Wage Subsidy program for the purpose of hiring an intern to work with the City's staff Conservator on preventive and treatment conservation projects for the benefit of the five City of Hamilton Museums.

12. **Cultural Careers Council Ontario Funding Assistance Grant for City of Hamilton Museums' Collection Management Project (CSC00018)** (Item 15)

That the General Manager of Community Services be authorized to apply for a provincial grant from the Culture Career Initiatives in Culture Program (CICP), Cultural Careers Council Ontario in the amount of \$50,000 for the purpose of creating a computerized database artifact cataloguing system for the five City Museums and Public Art Collection.

13. **Dundurn National Historic Site Name Change (CSC00013)** (Item 16)

That the practice of referring to the site comprising Dundurn and Harvey Parks as Dundurn National Historic Site be formally adopted.

14. **Canadian Pacific Heritage Fund Grant Application - Hamilton Museum of Steam and Technology - Made in Hamilton Heritage Project (CSC00015)** (Item 17)

- (a) That authorization be given to the General Manager of Community Services to submit a grant application requesting an amount of \$30,000 from the Canadian Pacific Heritage Fund for a project to enhance the Toronto, Hamilton and Buffalo Railway (T.H.&B.) collection at the restored GO Transit terminal and expand the offerings of the Made in Hamilton Heritage Project; and,
- (b) That a letter of understanding be initiated between the City of Hamilton, T.H.&B. pensioners and GO Transit for long term preservation and communication of the T.H.&B. Collection.

15. Community Arts Ontario Conference - May 5-7, 2000 (CSC00031) (Item 18)

- (a) That the Chair or designate of the Arts Advisory Commission be authorized to attend the Community Arts Ontario Conference to be held May 5-7, 2000 in North Bay; and,
- (b) That the Conference costs in the estimated amount of \$650 be financed through the Legislative Travel Account No. COHAM 56325 300120.

16. Appointment of Members to the Arts Advisory Commission (CSC00033) (Item 19)

That the following be appointed to the Arts Advisory Commission to serve for a term ending November 30, 2000:

- (a) Arts Organizations representatives:
Brenda Faloney – Theatre Aquarius
Steven Loft – Native Indian/Inuit Photographers' Association
Richard Birney-Smith – Te Deum Orchestra and Singers
Catherine Pead – Ontario Workers Arts and Heritage Centre
Peter Rogers – Hamilton Public Library Board
Gord Conroy – Theatre Ancaster
Brian Bennett – Art Gallery of Hamilton
- (b) Hamilton Region Arts Council representative:
Patti Beckett

THE FOLLOWING ITEMS NOT REQUIRING COUNCIL APPROVAL WERE ADOPTED AND/OR NOTED:**(a) Declarations of Interest (Item 1)**

None declared.

(b) Adoption of Minutes (Item 2)

That the following Minutes of the Parks and Recreation Committee be adopted:

- (a) January 31, 2000 (Item 2.1)
- (b) February 8, 2000 (Special Meeting) (Item 2.2)
- (c) February 29, 2000 (Special Meeting) (Item 2.3)

(c) **Presentations/Delegations (Item 3)**

(i) **Hamilton Girls' Hockey Association - Sue Gibson (Item 3.1)**

The Committee was in receipt of a letter dated February 6, 2000 from Sue Gibson expressing her concerns that the Hamilton Girls' Hockey Association has been treated unfairly over the past eight years respecting the allocation of ice time in the City.

Sue Gibson was in attendance to review her letter and requested that the Association's request for ice time for 2000/2001 be granted.

Following considerable discussion on this matter, the Committee approved the following:

That the Director, Culture and Recreation Department, be requested to prepare a report for the next meeting, addressing the concerns raised in Sue Gibson's letter of February 6, 2000 respecting the current status of ice time allocation, how the rules are applied and if any changes are needed to improve this system so that everyone is treated fairly.

A subsequent motion was made as follows:

That the City pay the difference in costs, in the approximate amount of \$816, as a result of the Hamilton Girls' Hockey Association having to rent ice time in Dundas to hold its annual tournament.

Motion Lost.

(ii) **The Hamilton Children's Museum Future Expansion (Item 3.2)**

Carolyn McCann, President, Friends of the Hamilton Children's Museum, appeared before the Committee to present the Friends' Annual Report and Work Plan and to provide an overview of the purpose and objections of the organization.

Diane Collins, Curator, was also in attendance and reported on the studies that have been done to date on the Children's Museum and the need for an expanded facility.

The Committee approved Report CSC00011 from the Hamilton Historical and received the Work Plan as circulated.

Alderman G. Copps was recorded as opposed to subsection (d) of the recommendation.

(iii) **Partnership Proposal for Norman "Pinky" Lewis Recreation Centre - Bill Bain, Hamilton East Community Services (Item 3.3)**

Bill Bain and Suzanne O'Grady, Hamilton East Community Services, appeared before the Committee and provided an overview of their organization and their proposal to partner with the City in providing a range of programs and social services to children and youth at the Norman "Pinky" Lewis Recreation Centre.

Chief Ken Robertson, Hamilton-Wentworth Regional Police, was also in attendance to voice his support for a three-year pilot project.

Given that a number of details still had to be worked out on this proposal, the Committee approved the following:

That the Director, Culture and Recreation Department, be given the authority to explore this matter further with representatives of the Hamilton East Community Services and report back to the Committee with written details of this proposal.

(d) **Referral from City Council (Item 4)**

Walker Pool Redevelopment - Additional Project Inclusion in 2000 Capital Budget (CSC00008)

This item was tabled to the next meeting.

(e) **Crematorium/Visitation Centre (PWT00053) (Item 5)**

Aldermen M. Kiss and G. Copps were recorded as opposed.

(f) **Taste of Hamilton - Sale of Alcoholic Beverages, Parking Vehicles and Amusement Rides at Bayfront Park (CSC00028) (Item 7)**

Alderman T. Jackson was recorded as opposed.

(g) **2000 Special Events with Alcohol and Parking Vehicles in a Park - Request for Approval under Parks By-law 95-126 as amended (CSC00027) (Item 8)**

Alderman T. Jackson was recorded as opposed.

- (h) **The Hamilton Tiger Cats Football Club - Alcohol and Fireworks in a Park - Request for Approval under Parks By-law 95-126 as amended (CSC00026) (Item 9)**

Alderman T. Jackson was recorded as opposed.

- (i) **Hamilton Plumber's Association Annual Hockey Tournament - Mountain Arena - April 7-8, 2000 - Sale of Alcoholic Beverages (CSC00023) (Item 11)**

Alderman T. Jackson was recorded as opposed.

- (j) **Information Items (Item 20)**

That the following items (a-d) previously distributed to Members of Committee under separate cover, be received:

- (a) Friends of Gage Park Activities in Gage Park (CSC00024)
- (b) Making the Connection - Hamilton Harbour Waterfront Trail Project Update February 2000 (PWT00052)
- (c) Executive Committee of the International Children's Games and Millennium Festival - Minutes of Meetings held December 7, 1999 and January 10 and 31, 2000
- (d) Chedoke Winter Sports Park - End of Season - Sunday, February 27, 2000 (CSC00032)

- (k) **Other Business (Item 21)**

Scott Park Hockey Association

The Committee was in receipt of a letter dated March 2, 2000 from the President, Scott Park Hockey Association, requesting a change to the meeting date established by the Committee at the last meeting to discuss the results of the Insurance Review of the Scott Park Minor Hockey Association.

Alderman M. Kiss placed a motion on the floor that the meeting be rescheduled to March 14, 2000 at 6:30 p.m. prior to City Council, however, no seconder was found.

The Committee reconfirmed that this meeting would be held on Monday, April 3, 2000 at 6:00 p.m.

Alderman M. Kiss was recorded as opposed to holding this meeting on April 3rd.

Note: The meeting of the Parks and Recreation Committee adjourned at 3:10 p.m.

**Alderman B. Morelli, Chairperson
Parks and Recreation Committee**

**Charlene Touzel, Legislative Assistant
March 6, 2000**

PLANNING AND DEVELOPMENT COMMITTEE



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday, March 8, 2000
9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Mayor R. M. Morrow, Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Also Present: Alderman Morelli, L. Coveyduck, G. Paparella, P. Mason, P. Mallard, A. Zuidema, G. Paparella, P. Lampman, A. Zuidema, H. Milsome, E. Switinky, E. Chajka, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 05-00 AND RESPECTFULLY RECOMMENDS:

1. ZAC-99-25, Lands located west of Hawkswood Trail, south of Falconridge Drive and east of Hamilton City (PDC00050) (Item 2.1)

That approval be given to Zoning Application ZAC-99-25 Rehoboth United Reformed Church, owner, for changes in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified (Block "1") and from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District (Block "2") for lands located west of Hawkswood Trail, south of Falconridge Drive and east of the Hamilton City limits as shown on the attached map marked as APPENDIX "A", on the following basis:

- (a) That Blocks "1" and "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9. of Zoning By-law No. 6593, applicable to Block "1"

be modified to include the following variances as special requirements:

- (i) That notwithstanding Section 9.(1) of Zoning By-law No. 6593, only the following uses shall be permitted:
 - 1. a Church, Sunday School, or other place of worship, with or without a parish hall; and,
 - 2. a single detached dwelling accessory to a Church or other place of worship.
 - (ii) Except for the accessory single detached dwelling permitted under Section (b)(i)2., no vehicular access shall be permitted from Falconridge Drive or Hawkswood Trail;
 - (iii) A visual barrier not less than 1.8 metres and not more than 2.0 metres in height shall be provided and maintained, except for points of access, along any lot line abutting a "C" District.
- (c) That the Corporate Counsel be directed and authorized to prepare separate By-laws for Blocks "1" and "2" to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council;
- (d) That the amending By-law for Block "1" be added to Section 19B of Zoning By-law No. 6593 as Schedule S -1442, and that the subject lands on Zoning District Maps E-38C and E-38D be notated as S -1442;
- (e) That the implementing By-law for Block "1" not be presented to City Council for adoption until such time as:
- (i) the applicant and/or land owner has submitted, to the satisfaction of the Director, Land Development Department and Corporate Counsel, all of the required documentation to provide for permanent vehicular access, in perpetuity, from the subject lands to Glancaster Road through the Ontario Hydro corridor to the west of the subject lands from the following agencies: Ontario Hydro; Bell Canada; TransCanada PipeLines; the Township of Glanbrook; and, the Hamilton Region Conservation Authority;
 - (ii) the applicant/owner applying for and receiving approval for an access agreement to Glancaster Road to the satisfaction of the General Manager, Transportation, Operations and Environment Division; and

- (iii) the applicant/owner has demonstrated to the satisfaction of the Director, Land Development Department, Community Planning and Development Division, the General Manager, Transportation, Operations and Environment Division, and the Supervisor of Traffic Studies/Traffic Technologists, Traffic Division, Transportation, Operations and Environment Division, that the proposed extension of Falconridge Drive westerly to connect to Glancaster Road is no longer required;
- (f) That upon finalization of the implementing zoning by-law for Block "2", the approved Carpenter Neighbourhood Plan be amended to redesignate Block "2" from "Civic & Institutional" to "Single & Double" Residential;
- (g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

2. ZAC-99-28, Lands located East of Glancaster Rd., West of Hawkswood Trail at the westerly limits of Falconridge Dr. and south of Rymal Rd. W. (PDC00051) (Item 2.2)

That approval be given to Amended Zoning Application ZAC-99-28 Jomar Development Corporation Inc. (c/o J. Kutlesa), owner, for changes in zoning from "AA" (Agricultural) District to "RT-20" – 'H' (Townhouse – Maisonette - Holding) District (Block "1") and from "C" (Urban Protected Residential, etc.) District to "RT-20" – 'Holding' (Townhouse – Maisonette – Holding) District (Block "2") to permit condominium townhouse units on lands located east of Glancaster Road, west of Hawkswood Trail at the westerly limits of Falconridge Drive and south of Rymal Road West as shown on the attached map marked as APPENDIX "B", on the following basis:

- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "RT-20" – 'Holding' (Townhouse – Maisonette - Holding) District;
- (b) That Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "RT-20" – 'Holding' (Townhouse – Maisonette - Holding) District;
- (c) That the "RT-20" (Townhouse - Maisonette) District regulations, contained in Section 10E. of Zoning By-law No. 6593, applicable to Blocks "1" and "2" be modified to include the following variances as special requirements:
 - (i) No vehicular access shall be permitted from Falconridge Drive;

- (ii) A visual barrier not less than 1.8 metres and not more than 2.0 metres in height shall be provided and maintained, except for points of vehicular access, along any lot line abutting a "C" District;
 - (iii) That notwithstanding Section 10E.(7)(a) of Zoning By-law No. 6593, a maximum of 25 townhouse units shall be permitted;
 - (iv) That notwithstanding Section 10E.(3) of Zoning By-law No. 6593, no building or structure, within the district shall exceed 1½ storeys, and no structure shall exceed 9.5 metres in height; and,
 - (v) That Section 4.(3)(b) of Zoning By-law No. 6593 shall not apply to the subject lands provided that a right-of-way for vehicular access from the subject lands to Rymal Road West has been established and registered on title; and,
 - (vi) That in addition to the requirements of Section 10E.(10) of Zoning By-law No. 6593, an area landscaped with a planting strip of not less than 3.0 metres in width shall be provided and maintained along the northerly lot line.
- (d) That the amending by-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed "RT-20" (Townhouse - Maisonette) District applicable to Blocks "1" and "2". The holding provision will prohibit the development of the subject lands, referred to in sections (a) and (b), until such time as the following conditions have been satisfied:
- (i) the applicant and/or land owner has submitted, to the satisfaction of the Director, Land Development Department and Corporate Counsel Solicitor, all of the required documentation to provide for permanent vehicular access, in perpetuity, from the subject lands to Rymal Road West through the Ontario Hydro corridor to the west of the subject lands from the following agencies: Ontario Hydro; Bell Canada; the Township of Glanbrook; the Town of Ancaster; and, the applicable Conservation Authority;
 - (ii) all required documentation has been submitted, to the satisfaction of the Director, Land Development Department and Corporate Counsel, that the necessary agreements and approvals have been secured in perpetuity, to provide for permanent vehicular access for the abutting lands to the south shown as Blocks "1" and "2" on APPENDIX "C",

from these lands to Glancaster Road through the Ontario Hydro corridor to the west of the subject lands from the following agencies: Ontario Hydro; Bell Canada; TransCanada PipeLines; the Township of Glanbrook; and, the applicable Conservation Authority;

- (iii) the applicant/owner has demonstrated to the satisfaction of the Director, Land Development Department, and the Supervisor of Traffic Studies/Traffic Technologists, Traffic Division, Transportation, Operations and Environment Division, the proposed extension of Falconridge Drive westerly to connect to Glancaster Road is no longer required;
- (iv) the applicant/owner applying for and receiving approval for an access agreement to Rymal Road West to the satisfaction of the General Manager, Transportation, Operations and Environment Division; and,
- (v) the applicant has undertaken and completed, to the satisfaction of the Ministry of Citizenship, Culture and Recreation an archaeological assessment of the subject lands and any significant resources present are to be removed and documented through excavation prior to construction, or preserved intact while development proceeds around the subject lands.

City Council may remove the 'H' symbol, and thereby give effect to the 'C' District provisions by enactment of an amending By-law once the conditions have been fulfilled;

- (e) That the Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council;
- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1441, and that the subject lands on Zoning District Map E-38C and E-38D be notated as S - 1441;
- (g) That upon finalization of the implementing zoning by-law, the approved Carpenter Neighbourhood Plan be amended to redesignate Blocks "1" and "2" from "Single & Double" Residential to "Attached Housing" and to revise the road network by terminating Falconridge Drive as a cul-de-sac, as shown conceptually on APPENDIX "D".
- (h) That the proposed changes in zoning are in conformity with the Official Plan

for the Hamilton Planning Area.

3. Demolition of 238 Belmont Avenue (PDC000045) (Item 4.1)

That the Building Commissioner be authorized to issue a demolition permit for 238 Belmont Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

4. Demolition of 100 Quigley Road, Unit 54, Section H-7 (PDC00048) (Item 4.4)

That the Building Commissioner be authorized to issue a demolition permit for 100 Quigley Road, Unit 54 in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

5. Request for a Validation Certificate for Lots 58-60, Registered Plan 62M-872 (PDC00030) (Item 4.5)

- (a) That approval be given to the request for a Validation Certificate pursuant to Section 57 of the Planning Act for Lots 58 – 60, inclusive, located in "Effort Gardens, Phase 1", Registered Plan 62M-872, for the purpose of establishing maintenance easements, as shown on the attached map marked as Appendix "E"; and,
- (b) That the Corporate Counsel be directed and authorized to prepare a by-law to legalize the creation of maintenance easements for Lots 58 – 60, inclusive, Registered Plan 62M-872 "Effort Gardens, Phase 1".

6. Hamilton Emergency Loan Program, 25 Chatham St. (HSB00005) (Item 4.6)

That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, two hundred and eighty-four dollars (\$1,284) be approved for Joyce Brown, 25 Chatham Street. The interest rate will be 2 per cent amortized over 5 years.

7. Core Heritage 2000 Program Grant Increase, 34-36 Hess Street South (HSB00006) (Item 4.7)

That a grant increase, for façade improvements, under the Core Heritage 2000 Program, in the amount of nine thousand, four hundred and fifty-five dollars

(\$9,455) to Intrilectual Investments Inc., registered owner of 34-36 Hess Street South, be approved.

8. International Village BIA- Revised Board of Management(PWT00049)(item 4.8)

That the following individual be appointed to the International Village B.I.A.'s Board of Management:

John Kenyon Jr. 222 King Street East (Payne Music)

9. Barton Village BIA- Proposed Budget and Schedule of Payment for 2000 (PWT00054) (item 4.9)

- (a) That the 2000 operating budget for the Barton Village B.I.A. attached hereto as Appendix "F" be approved in the amount of \$33,345; and,
- (b) That the 2000 levy portion of the operating budget for the Barton Village B.I.A. be approved in the amount of \$27,550; and,
- (c) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (b) above; and,
- (d) That the following schedule of payments for 2000 be approved:

March	\$13,775.00
June	\$ 6,887.50
September	\$ 6,887.50

Note: 1999 assessment appeals may be deducted from the 2000 levy payments.

10. Demolition of 244 King St. E., Implementation of the Ferguson Avenue Master Plan (PWT00037) (Item 5.2)

- (a) That the Acting Commissioner of the Department of Public Works and Traffic be authorized and directed to arrange for the demolition of the City owned property at 244 King Street East; and,
- (b) That the cost to demolish the property be charged to Account Number COHAM 520003003. The Ferguson Avenue Implementation

Pedestrian/Bicycle Link; and,

- (c) That the subject lands be incorporated into the implementation of the Ferguson Avenue Master Plan between King Street East and Main Street East; and,
- (d) That the Building Commissioner be authorized to issue a demolition permit in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

11. Authorization for Staff Attendance at an Ontario Municipal Board Hearing - 67 Kenilworth Avenue North (PDC00052)

That the appropriate staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-99:184, respecting property located at No. 67 Kenilworth Avenue North, as shown on attached map marked as Appendix "G".

12. Canadian Planners Association Conference- June, 2000

- (a) That the Chairman or his designate and 2 other members of the Planning and Development Committee be authorized to attend the Canadian Planners Association Conference in Charlottetown, June 18-21, 2000; and
- (b) That cost for attendance is allocated to Alderman's Travel Account No. COHAM 56325 300120.

13. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-007 A By-law to Remove Land within the "Gardens of Rymal- Phase 5" Subdivision, Plan 62M-887 from Part Lot Control.
- (b) C-008 A By-law to Designate Land Located at Municipal No. 88 Fennel Avenue West as Property of Historic and Architectural Value and Interest.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes - February 23, 2000 (Item 3.)

The Minutes of the meeting held February 23, 2000 were adopted.

(c) ZAC-99-25, Lands located west of Hawkswood Trail, south of Falconridge Drive and east of Hamilton City (PDC00050) (Item 2.1)

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard gave a brief overview of the report. He advised that of 76 Notices circulated, 13 replied in favour and 5 opposed.

Sergio Manchia of Planning Initiatives was present on behalf of the applicant and in favour of the recommendation.

Henrey Schilthius of 160 Sawmill Rd. in Caledonia and representative of the Reformed United Church was present in favour of the recommendation.

Carmen Rizzotto of 70 Hawkswood Trail and President of the Highridge Community Council was present and commended all parties in their efforts to make the end of Falconridge Rd. into a cul-de-sac.

(d) ZAC-99-28, Lands located East of Glancaster Rd., West of Hawkswood Trail at the westerly limits of Falconridge Dr. and south of Rymal Rd. W. (PDC00051) (Item 2.2)

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard reviewed the report for the Committee and advised that of 25 notices circulated 6 replied in favour and 4 opposed.

Sergio Manchia of Planning Initiatives was present on behalf of the applicant and in favour of the recommendation and requested that a holding provision be included as an amendment to the recommendation. He stated that the Hydro issues will be addressed prior to severances proceeding. Carmen Rizzotto of 70 Hawkswood Trail and President of the Highridge Community Council was present and stated that the issue of making the end of Falconridge Rd. into a cul-de-sac is a priority.

Orn Snyder of 707 Rymal Rd. W. and abutting neighbour to the property was present and opposed to the recommendation for the following reasons:

- Increased traffic,
- questioned that the gage house will be appropriately preserved and also that access for seniors is not adequate,
- Upset about lights shining into his home from a sign on site which has now been resolved,
- Drainage runoff onto his property,
- Lots 1 and 2 have been stripped of topsoil.

John Iachelli of 47 Falconridge Drive was present in opposition to the recommendation because of concerns regarding traffic, and increased pollution. He advised that when he purchased his property in 1994 there were no plans for this development.

Serge Manchia advised that the traffic would be worse if Falconridge was not closed. There has been change but to the betterment of the community. He stated that he will follow up regarding Mr. Snyder's concerns. Accessibility to the Tea House is being reviewed.

In response to a question from Alderman Copps, Mr. Manchia stated that he will follow up regarding potential artifacts on site.

Alderman D'Amico stated that this development is an exciting concept of healthcare and lifestyle living.

Regarding a question from Mr. Snyder, Paul Mallard stated that the drainage is included in the site plan which is approved and registered on title.

Following discussion the committee approved the recommendation as

amended to include a holding provision.

*Alderman Copps was opposed to the main motion as amended.

- (e) **Demolitions of 21 St. Olga St. (PDC00046) (Item 4.2) & 23 St. Olga St. (PDC00047) (Item 4.3)**

Following brief discussion the Committee resolved to table the 2 Items in order to allow the parishioners and priest to meet and come to a consensus.

- (f) **Information Items (Item 4.10)**

That the following Information Items as previously distributed to Members of the Planning and Development Committee be received:

- (i) Mary Lou Dickson, re: Petition on ZAC-99-04 1389 Upper James Street dated February 22, 2000
- (ii) Acting Commissioner, Department of Public Works and Traffic re: Downtown BIA Revised Board of Management dated February 17, 2000

- (g) **Demolition of 244 King Street East – Implementation of the Ferguson Avenue Master Plan (PW00037A) (Information) (Item 5.1)**
-and-
Demolition of 244 King St. E., Implementation of the Ferguson Avenue Master Plan (PWT00037)(Recommendation) (Item 5.2)

The Information report was received.

A brief discussion ensued regarding all options being considered for the property.

*Alderman Copps and Alderman Haining were opposed to the main motion for the recommendation report.

- (h) **Other Business**

- (i) In response to a question from Alderman Caplan, Lee Ann Coveyduck advised the Committee that the City Maps which are

presently outdated by 2 to 3 years will be digitized.

- (ii) Alderman Haining requested that staff consider changing the boundary of the Open for Business Policy regarding development charges from Victoria to Wentworth Street.
- (iii) **Authorization for staff attendance at an OMB Hearing- 67 Kenilworth Avenue North (PDC00052) (Added Item)**

The Committee suspended the rules to introduce this added item which was subsequently approved.

- (iv) **Canadian Planners Association Conference- June, 2000**

The Committee resolved to authorize the Chairperson and two members of the Planning and Development Committee to attend the conference.

*Alderman Copps opposed.

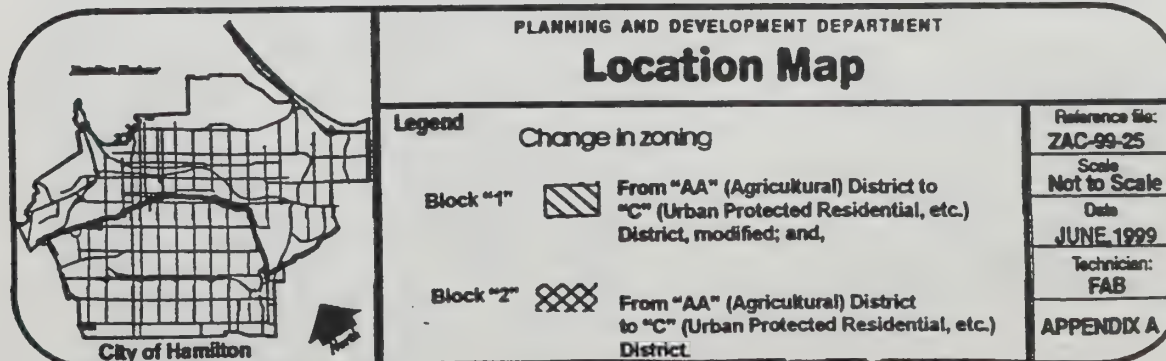
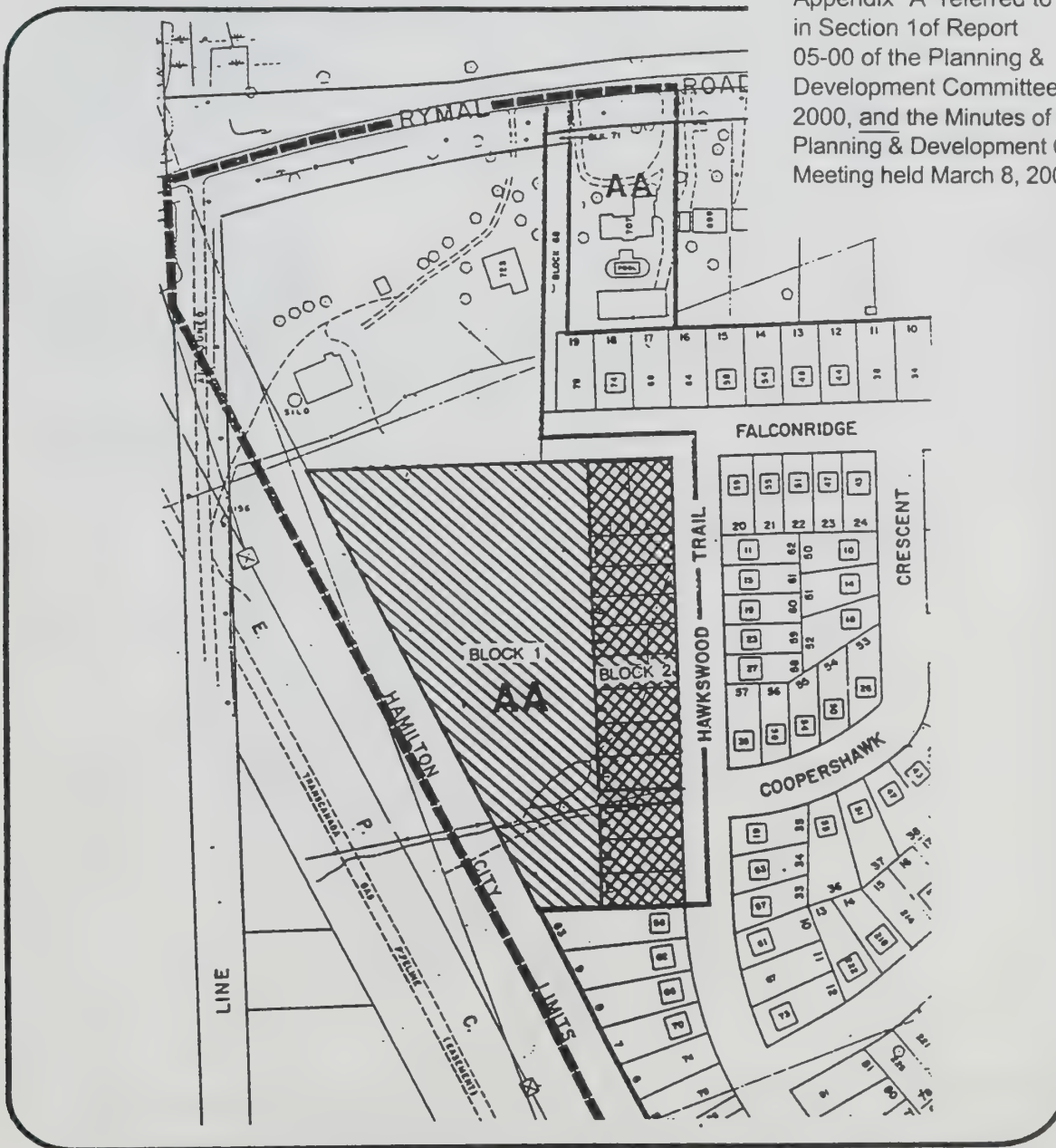
- (v) Staff was directed to prepare an information report for the next regularly scheduled Planning and Development Committee meeting regarding an issue respecting the sideyard flankage of a property on Mohawk Road West.

Note: The meeting of the Planning and Development Committee adjourned at 10:55 a.m.

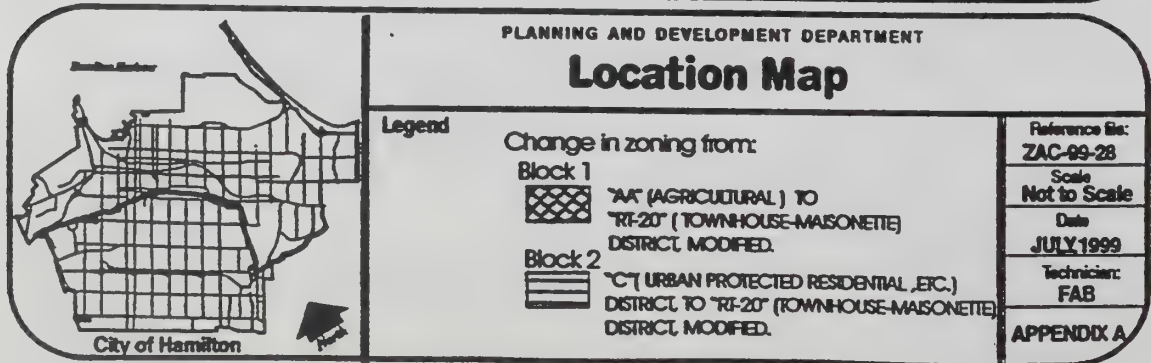
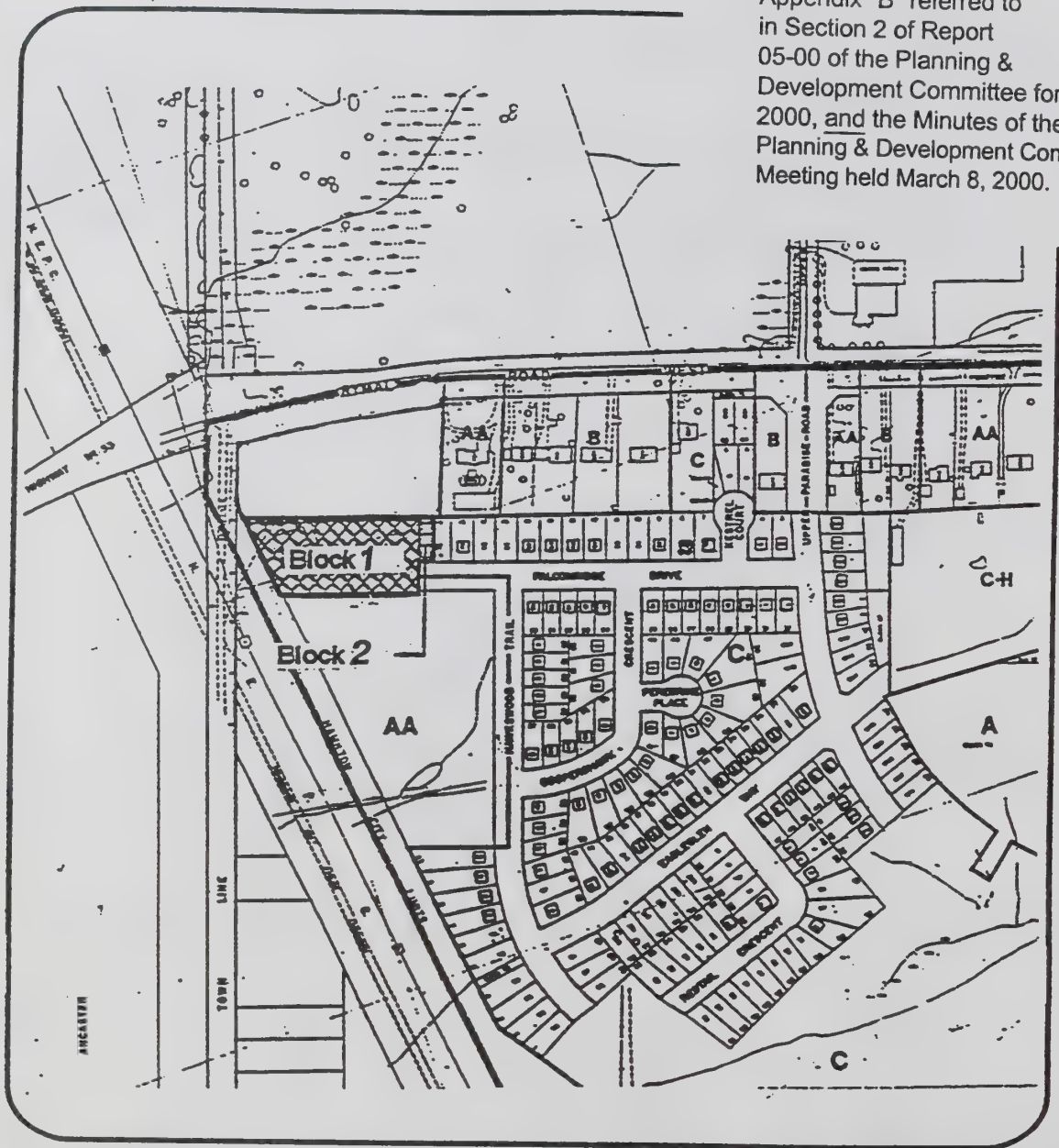
**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
February 23, 2000**

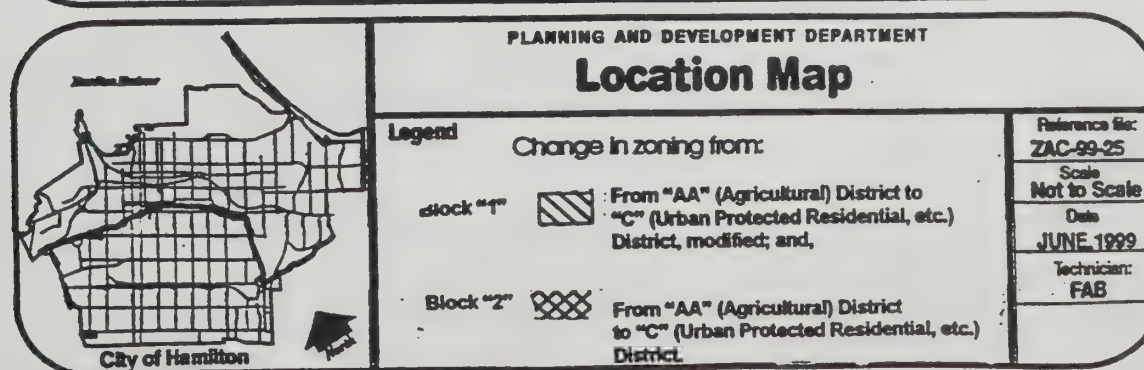
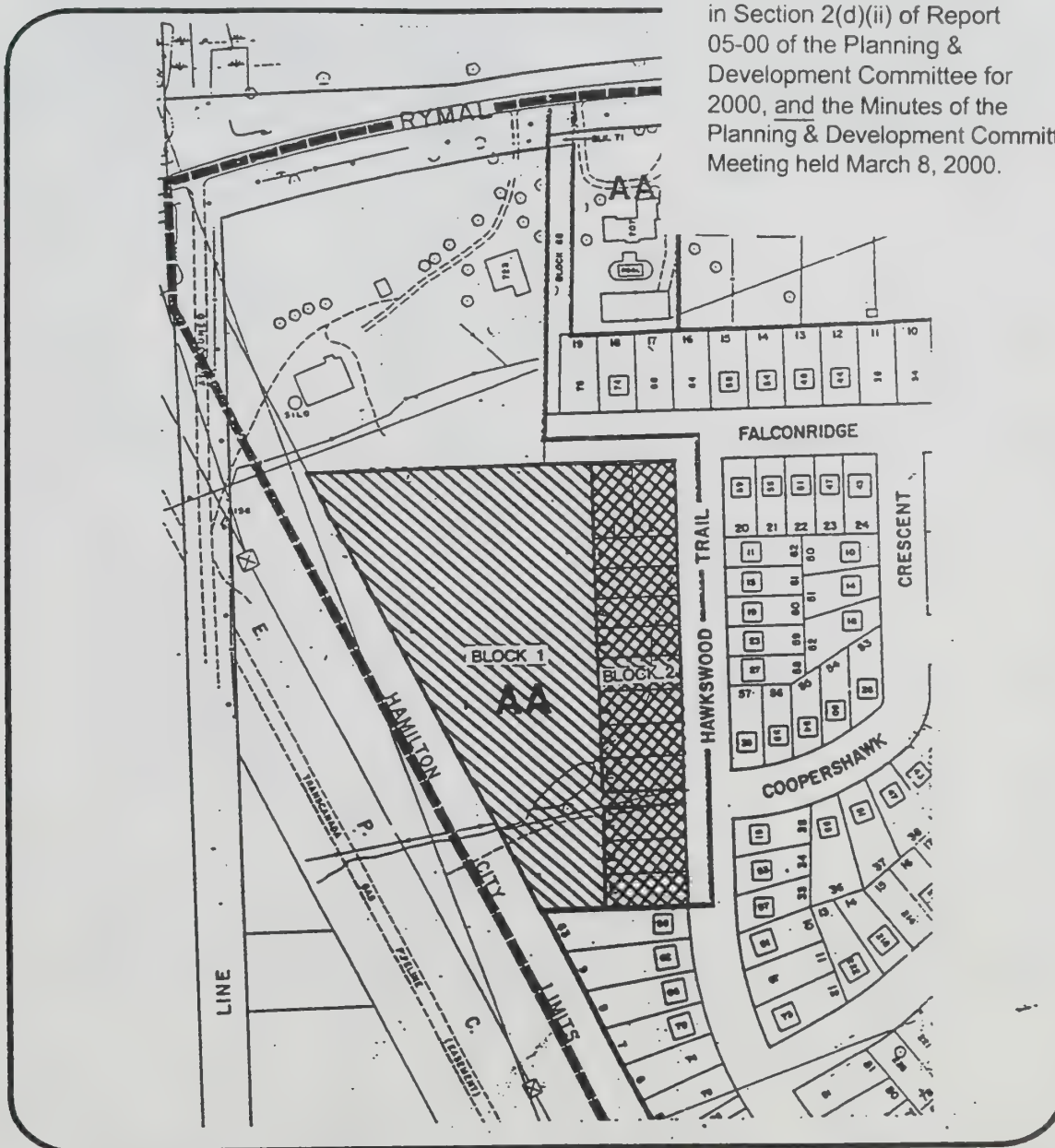
Appendix "A" referred to in Section 1 of Report 05-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held March 8, 2000.

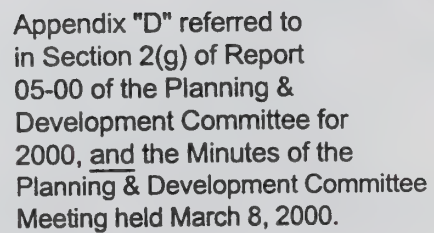


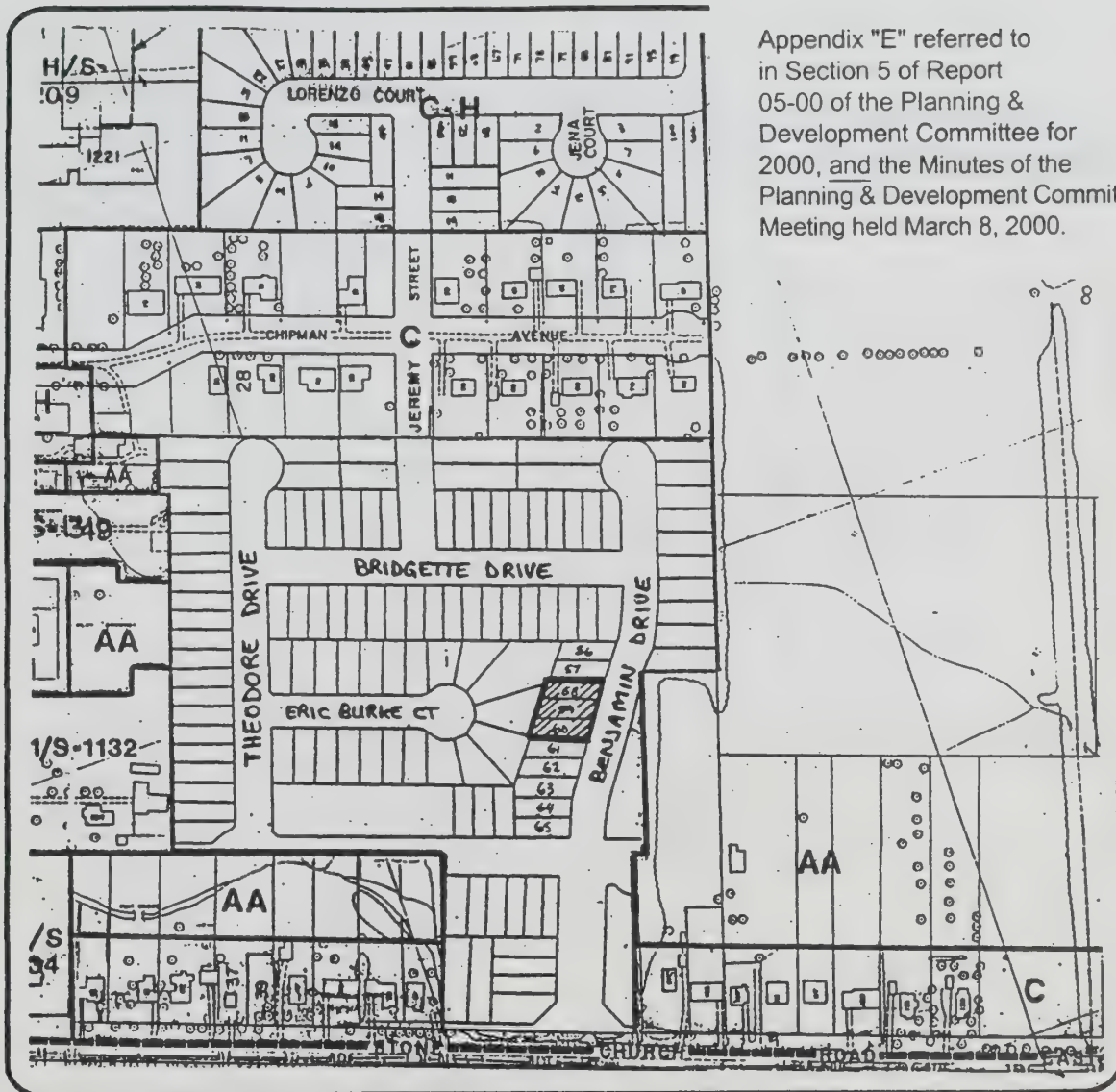
Appendix "B" referred to in Section 2 of Report 05-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held March 8, 2000.



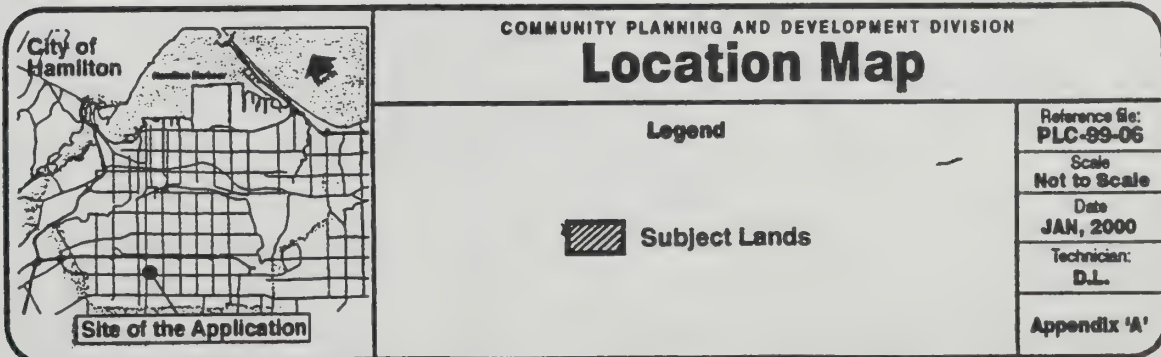
Appendix "C" referred to in Section 2(d)(ii) of Report 05-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held March 8, 2000.







Appendix "E" referred to in Section 5 of Report 05-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held March 8, 2000.



**Barton Village Business Improvement Area (B.I.A.) –
Proposed Budget and Schedule of Payment for 2000**

Appendix "F" referred to
in Section 9 of Report
05-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held March 8, 2000.

APPENDIX ' '

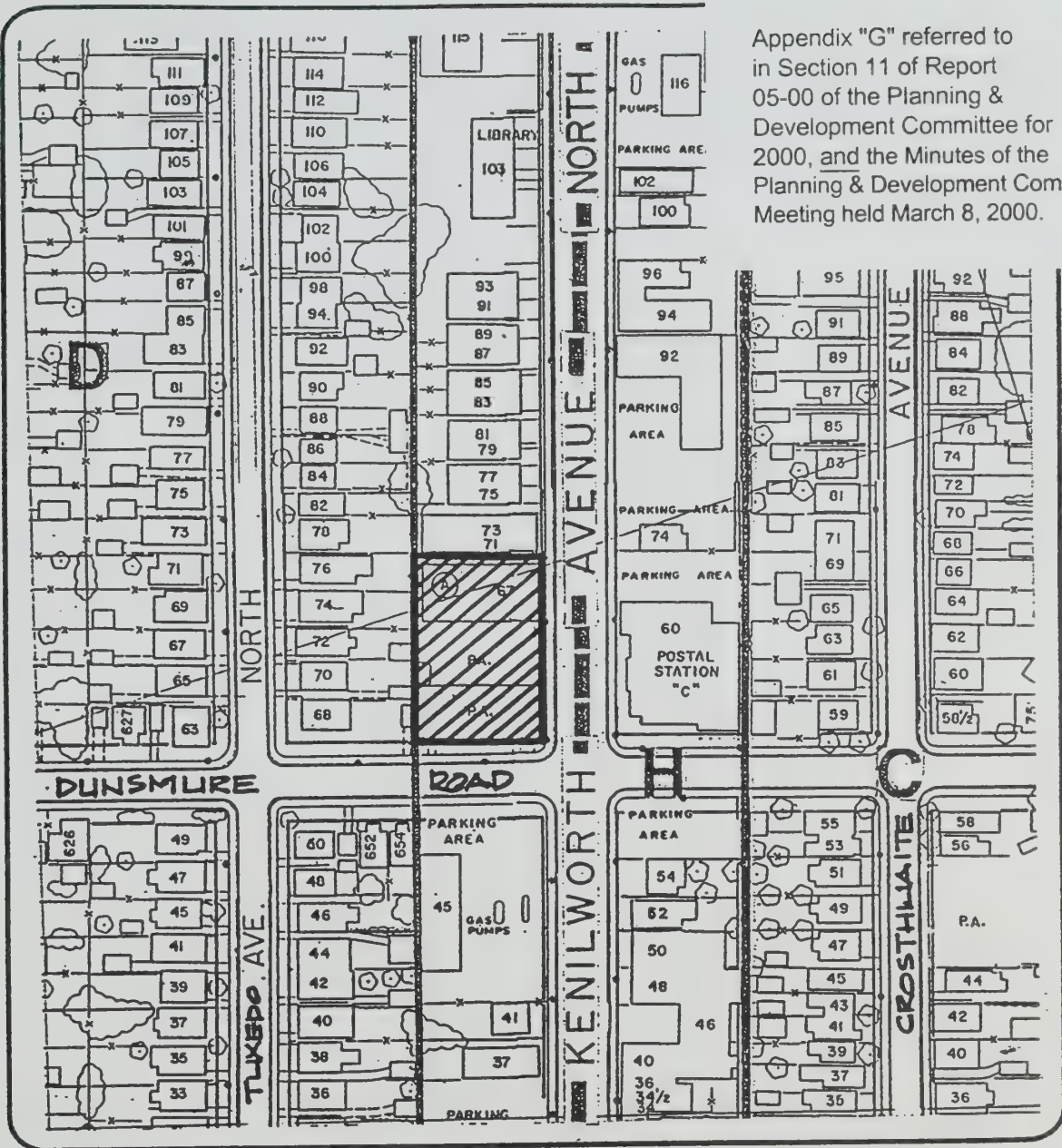
**BARTON VILLAGE BUSINESS
IMPROVEMENT AREA'S (B.I.A.'S)
2000 BUDGET**

<u>EXPENSES</u>	<u>AMOUNT</u>
Wages	\$10,000
Insurance (General and Director's)	\$ 1,700
B.I.A. Meetings	\$ 1,500
Audit Fee	\$ 350
Administration/Office Expense	\$ 1,720
Christmas Decoration Installation/ Removal/Storage	\$ 1,500
Special Events	\$ 3,200
Business Development & Consultant Fees	\$ 2,727
Advertising and Promotion	\$ 7,280
Contingency	\$ 800
Rent	\$ 2,568

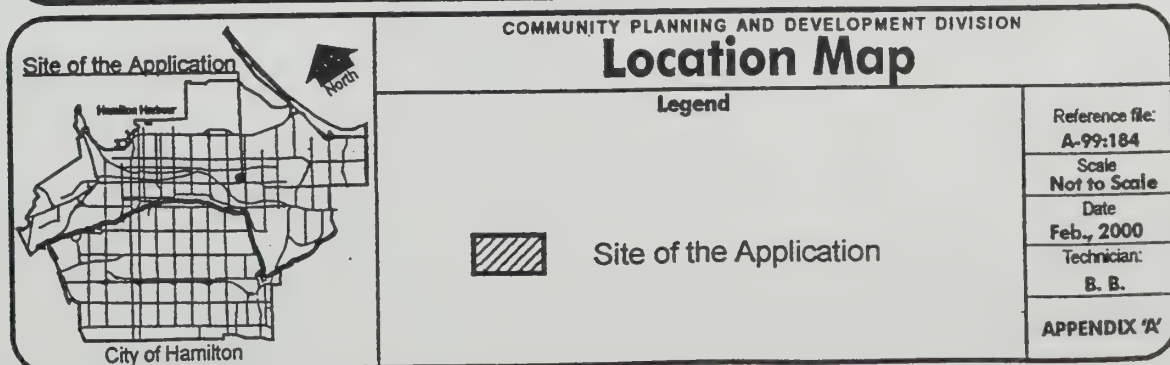
TOTAL BUDGET \$33,345

Revenue:

2000 Levy	<u>\$27,550</u>
Reserve from 1999	\$ 5,295
Interest	\$ 500



Appendix "G" referred to in Section 11 of Report 05-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held March 8, 2000.



FINANCE & ADMINISTRATION
COMMITTEE



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, March 7, 2000
9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

City Finance and Administration Committee

Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Mayor R. Morrow, Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly

Region Finance and Administrative Services Committee

Councillor B. Charters (Chairman), Councillor G. Etherington (Vice-Chairman), Regional Chairman T. Cooke, Councillors D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, A. Bain, D. Wilson, M. Caplan, A. Sloat

Also present:

Aldermen G. Copps, F. Eisenberger
Fire Chief G. Peace, K. Nutley, D. Powers, L. Bourns, T. Tollis,
T. Bradbury, J. Bruzzese, B. Desnoyers, G. Paparella,
D. Redfearn, J. Spiler, T. Whitehead, L. Cecchetti,
Susan K. Reeder

Alderman D. Wilson, Chairman called the meeting to order.

**THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 05-00
AND RESPECTFULLY RECOMMENDS:**

1. **Conference Attendance - City of Hamilton and Regional Municipality of Hamilton-Wentworth Elected Officials - Federation of Canadian Municipalities - June 2 - 5, 2000 (CS00009)(Item 11)**

That insofar as voting delegate status is granted to all elected officials in attendance, and the close proximity of this year's Conference, that all members of Regional and City Councils who wish to attend be authorized to attend the 63rd Annual Conference of the Federation of Canadian Municipalities being held in London, Ontario on June 2 - 5, 2000.

2. FCM Board of Directors (New Business #1)

- (a) That the Federation of Canadian Municipalities be advised that Hamilton City Council nominates Alderman B. Charters as its nominee for consideration as a member of the National Board of Directors of the Federation of Canadian Municipalities; and,
- (b) That City Council agrees to meet the costs of its nominee to attend meetings of the FCM Board of Directors for the year June 1, 2000 to June 30, 2001.

3. City of Hamilton Development Charges By-law Amendments (FIN00027)(Item 16)

- (a) That a new residential development charge rate classification for "Residential Facilities" be established, being development containing two or more units for residential accommodation, which units do not have self-contained kitchens and are with or without self-contained bathrooms, based on a \$.30 per square foot development charge unit rate; and,
- (b) That residential development in the area of the City of Hamilton bounded by Queen Street, the Escarpment, Victoria Avenue, and Hamilton Harbour, be exempt from development charges, save and except residential facilities; and,
- (c) That development defined as "residential facilities", in the area bounded by Queen Street, Cannon Street, Hunter Street and Victoria Avenue, be subject to the "Residential Facilities" development charges rate in the Development Charges By-law; and,
- (d) That Non-Profit Housing Developments as defined in the By-Law, where capital costs are not in part or whole funded by senior levels of government, be exempt from Development Charges; and,
- (e) That development undertaken by a university recognized by the Province in the University Expropriation Powers Act, be exempt from Development Charges; and,
- (f) That the Residential Development Charge Unit Rates set out in City of Hamilton Development Charges By-law 99-118, be reduced by 4.2%; and,
- (g) That private non-profit schools as defined in the Development Charges By-Law, be exempt from Development Charges; and,

- (h) That commercial development charges be limited to the first 150,000 square feet per building; and,
- (i) That the Development Charges By-Law as amended be passed and enacted by Council, and be effective the date following Council approval; and,
- (j) That the Development Charge By-law amendments, set out in the amending By-law be referred to the Transition Board for consideration.

4. Tax Exemption - Ontario Workers Arts and Heritage Centre (Item 17)

- (a) That the Mayor and Municipal Clerk be authorized to execute a Municipal Capital Facility Agreement with the Ontario Workers Arts and Heritage Centre; and,
- (b) That the By-law to exempt the Ontario Workers Arts and Heritage Centre, a Municipal Facility at 51 Stuart Street, for municipal and school taxes be enacted; and,
- (c) That the Municipal Clerk give Notice of Passage of the By-law to the Minister of Education and Training, the Regional Assessment Commissioner and to the Secretaries of the Hamilton Wentworth District School Board and the Hamilton Wentworth Catholic District School Board; and,
- (d) That upon the enactment of the By-law, the General Manager, Finance strike from the tax roll the Ontario Workers Arts and Heritage Centre's taxes from March 15, 2000, until the tax roll is amended.

5. Mayor's Office Security (FAC00001)(Item 18)

- (a) That security improvements to the Mayor's office be undertaken at a cost not to exceed \$25,000; and,
- (b) That, subject to Transition Board Approval, a 10 month temporary Administrative Assistant position be established for the Mayor's Office to staff the reception work station; and,
- (c) That subject to the Transition Board approval, security improvements to the Mayor's Office be financed to an upset limit of \$25,000 from the Reserve for Tax Stabilization DeptID104055; and,

- (d) That subject to the Transition Board approval, compensation costs of approximately \$35,000 for a 10 month temporary administrative assistant be financed:
 - (i) Firstly, from the Mayor's 2000 Operating Budget DeptID300105; and,
 - (ii) Secondly, from Corporate Year 2000 operating surplus.

6. Declare Surplus and sell Public Walkway between Wendover Drive and Forestgate Drive, Parts 1 to 4, Plan 62R-15230 (CS00011)(Item 19)

- (a) That the public walkway lying between properties at 19 & 23 Forestgate Drive and 244 and 248 Wendover Drive, known as Block "B" on Plan M-127 and designated as Parts 1, 2, 3 & 4 on Plan 62R-15230, measuring 10 feet in width by 209 feet in length, more or less, be declared surplus to the requirements of the City of Hamilton in accordance with Real Property Sales Procedural By-law No. 95-049; and,
- (b) That Real Estate, Legal Services Section be authorized and directed to sell this property in accordance with the Real Property Sales Procedural By-law No. 95-049; and,
- (c) That three (3) Offers to Purchase (Highway Closure) duly executed by three abutting property owners on February 8, 2000 and scheduled to close on May 12, 2000, for the public walkway between Forestgate Drive and Wendover Drive, legally described as Block "B", Registered Plan M-127, with dimensions of 3.048m (10 ft.) by 63.73m (209.1 ft.), more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Sales Procedural By-Law No. 95-049 have been fulfilled by the City, and By-Law 99-081, to stop-up, close and sell said public walkway was passed on June 29, 1999 and registered in the Land Registry Office as instrument LT 560114 on July 8, 1999,
 - (i) Part 1, Plan 62R-15230: Purchaser - Donald F. Holt and Brenda M. Holt
 - (ii) Part 2, Plan 62R-15230: Purchaser - George Brazel and Nancy Briffa
 - (iii) Parts 3 & 4, Plan 62R-15230: Purchaser - Mahnaz Jafarpour-Davatgar

and funds derived from the three (3) sales of \$6.00 (\$2.00 each) be credited to Account Centre 47702-100035 (Reserve for Property Purchases - Sales); and

- (d) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents; and,
- (e) That in accordance with Real Property Sales Procedural By-Law 95-049,
 - (i) satisfactory notice has been given to the public of the intended sale by Notices that were published in the Spectator for four (4) consecutive weeks pursuant to Section 300 of the Municipal Act (the highway sale provisions);
 - (ii) property sales/dispositions of Highways (Public Walkway) are exempt from the requirement of an appraisal of fair market value;
 - (iii) the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed by Section 193 of the Municipal Act.

7. Transient Flower Vendors (PDC00044)(Item 20)

- (a) That Schedule 7 of the City of Hamilton Licensing By-law 98-203, respecting pedlars be amended to provide for the following:
 - (i) That the licensee be required to provide written proof from the private property owner that he has permission to locate and sell from the property;
 - (ii) That the licensee must comply with the regulations of the Zoning By-law;
 - (iii) That the licensee be required to produce his licence upon inspection; and,
- (b) That Corporate Counsel be authorized and directed to prepare the appropriate amending by-law; and,
- (c) That the Minister of Labour be requested to investigate and take the appropriate action on transient vendors using underage children to sell products; and,

- (d) That the Province be requested to review the whole issue of transient vendors in order to enact legislation to protect legitimate businesses against the unfair competition of transient vendors.

8. Hamilton Fire Station No. 3 - Minor Upgrades and Ambulance Expansion - approval of construction contract award (CSC00029)(Item 21)

- (a) That staff be authorized to issue a Purchase Order to Bestco Construction Corporation of Hamilton in the amount of Two Hundred and Seventy Seven Thousand Two Hundred and Twenty-Three (\$ 277,223) plus applicable taxes of Nineteen Thousand Four-Hundred and Six (\$19,406) for alterations to Fire Station No.3 at 965 Garth Street as detailed in the Contract Documents issued on February 8, 2000, and;
- (b) That a contract satisfactory to Corporate Counsel be entered into between the City and the Contractor, and;
- (c) That the Mayor and the Municipal Clerk be authorized to execute the contract on behalf of the City, and;
- (d) That the recommendation be forwarded to the Transition Board for consideration and approval.

9. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears (FIN00022)(Item 22)

- (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners of the following properties to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994:
 - (i) 229 East 28th Street
 - (ii) 257 Quigley Road
 - (iii) 300 Inverness Avenue East
 - (iv) 223 Tragina Avenue North
 - (v) 55 Pinehurst Drive
 - (vi) 173 Wood Street East
- (b) That the by-law to authorize the said Extension Agreements be enacted by City Council.

- (c) That the Mayor and Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

10. Financing - King's Forest Golf Course - Red Hill Creek Remediation (FIN00025)(Item 25)

- (a) That as referred to in Section 1 of Report 03-00 of the Parks and Recreation Committee, approved by City Council on February 8, 2000, that the cost for a temporary remedial plan which consists of a bridge and reduced excavation estimated at \$155,000 be funded from the City's Capital Projects - General Reserve (Project ID 100015); and,
- (b) That in the event the Department of Fisheries and Oceans does not approve the temporary remedial plan, the alternative option, which includes costs for design, supervision and tendering, construction and associated works, estimated to be \$260,000, be funded from the City's Capital Projects - General Reserve (Project ID 100015); and,
- (c) That as per the regulation made under the City of Hamilton Act, 1999, the project be referred to the Transition Board for consideration since it was not included in the approved 2000 budget for capital projects.

11. Financing - Funding Source for a Contribution to Festivals and Events Ontario Conference 2000 Education Forum (FIN00019)(Item 26)

That as referred to in Section 5 of Report 02-00 of the Parks and Recreation Committee approved by City Council on February 8, 2000 that a \$5,000 contribution to the Festivals and Events Ontario Conference in Hamilton on March 9 - 12, 2000 be financed from COHAM Account 57242 - 265010, Hosting of Conferences with Municipal Subject Content.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes- Tuesday, February 15, 2000 (Item 10)

The Committee approved the minutes of its meeting held on Tuesday, February 15, 2000.

(c) 1999 Fourth Quarter Staffing Report (HUR00002)(Item 12)

The Committee received for information the above noted Information Report.

(d) Information Items Listing (Item 13.1)

The Committee approved the receipt of the listing of Information Items forwarded to them under separate cover.

(e) Financing - West 5th Area Stormwater/Infrastructure Study (FIN00023)(Item 23)

The Committee agreed to table this matter, as there were no staff in attendance to respond to questions.

(f) Financing - Walker Pool Redevelopment Project (FIN00024)(Item 24)

The Committee tabled this report, as the Parks and Recreation Committee has tabled the main issue.

(g) Referral from City Council - After-Hours Desk - Customer Service Levels (Item 27)

The Committee agreed to table this matter, as there were no staff in attendance to respond to questions.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee and the Joint Public Meeting on Development Charges adjourned at 11:30 a.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
March 7, 2000**

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO STOP-UP, CLOSE AND SELL A PORTION OF CATHCART STREET
AS SET OUT ON REGISTERED PLAN 287
AND DESIGNATED AS PARTS 2, 3, AND 5, ON PLAN 62R-14133

AND

TO SELL THE CLOSED EAST/WEST ALLEY
LYING SOUTH OF BARTON STREET AND EAST OF CATHCART STREET
AS SET OUT ON REGISTERED PLAN 287
AND REGISTERED AS INSTRUMENT NUMBER VM243362
AND DESIGNATED AS PART 4 ON PLAN 62R-14133

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of the Municipal Act, Revised Statutes of Ontario, 1990 Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of the Corporation of the City of Hamilton, in adopting Item 1 of the 14th Report of the Transport & Environment Committee on 1996 October 08, authorized that steps be commenced, pursuant to the Municipal Act for the closure and sale by by-law of that portion of Cathcart Street set out on Registered Plan 287 and designated as Parts 2, 3, and 5, on Plan 62R-14133;

AND WHEREAS the Council of the Corporation of the City of Hamilton, in adopting Item 1 of the 14th Report of the Transport & Environment Committee on 1996 October 08, authorized that steps be commenced, pursuant to the Municipal Act for the sale by by-law of that portion of the closed east/west alley lying south of Barton Street and east of Cathcart Street set out on Registered Plan 287 and registered as instrument number VM243362 and designated as Part 4 on Plan 62R-14133;

AND WHEREAS the said highways are under the jurisdiction of The Corporation of the City of Hamilton;

AND WHEREAS notice of the City's intention to pass this By-law has been published as required by Section 300 of the Municipal Act, for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) That the portion of Cathcart Street set out on Registered Plan 287 and designated as Parts 2, 3 and 5, on Plan 62R-14133, in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, is hereby stopped-up and closed.

- (b) That the soil and freehold in the said portion of the closed highway set out on Registered Plan 287 and designated as Parts 2, 3 and 5, on Plan 62R-14133, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, be sold to 1201159 Ontario Limited, in accordance with their Offer to Purchase dated June 30, 1999, for the price of \$27,570.00, being the owner abutting the closed portion of Cathcart Street.
2. That the soil and freehold in the said portion of the closed highway being the east/west alley lying south of Barton Street and east of Cathcart Street as set out on Registered Plan 287 and registered as instrument number VM243362 and designated as Part 4 on Plan 62R-14133, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth, be sold to Hotz & Sons Company, in accordance with their Offer to Purchase dated June 30, 1999, for the price of \$532.00, being the owner abutting the closed portion of the said alley.
3. That this By-law shall come into force and effect on the date of its registration in the Land Registry Office for the Registry Division of Wentworth.

Passed this 14th day of March A.D. 2000.

Municipal Clerk

Mayor

Approved
as to form

Legal
Services

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 4, 5 AND 7 ON PLAN 62R-11755
INTO ANNABELLE STREET

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Annabelle Street within its limits;

AND WHEREAS the said land is owned by the Corporation of the City of Hamilton.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Annabelle Street.

Part of Lots 16 and 17, Registered Plan 823, designated as Parts 4, 5 and 7 on Plan 62R-11755,

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of March, A.D. 2000.

Municipal Clerk

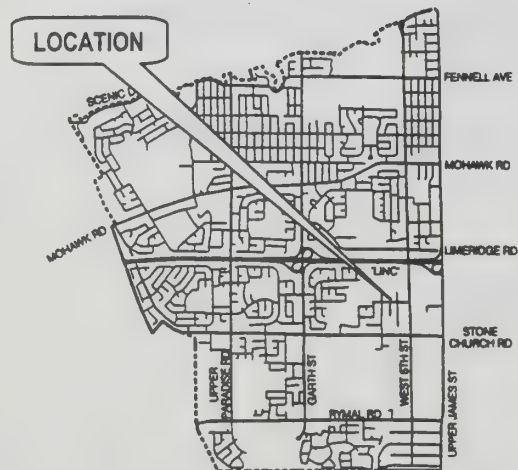
Mayor

ANNABELLE STREET

8" (1" WIDE) 823	REG PLAN 823	0002	0017	25	16	0030
			0018			
		0003	0019	24	17	0031
		0004	0020	23	18	0032
		0005	0021	22	19	0033
			0022			0034

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KEY MAP



HAMILTON
WARD 8

LOCATION PLAN

ANNABELLE STREET
Parts 4, 5 & 7, Plan 62R-11755

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND



SUBJECT LAND

SCALE
NOT TO SCALE

DATE
2000-02-15

REFERENCE FILE NO: S-601-02

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-15214
INTO CENTENNIAL PARKWAY

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Centennial Parkway within its limits;

AND WHEREAS the said land is owned by the Corporation of the City of Hamilton.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Centennial Parkway.

Part of Lot 26, Concession 2, in the geographic township of Saltfleet, designated as Part 1 on Plan 62R-15214,

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of March, A.D. 2000.

Municipal Clerk

Mayor

P I N 17308-0040

FIN 17308-0043

REFERENCE FILE NO: S-601-02

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-12354
INTO CLAUDETTE GATE

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Claudette Gate within its limits;

AND WHEREAS the said land is owned by the Corporation of the City of Hamilton.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Claudette Gate.

Part of Block 144, on Plan 62M-679, Parcel Reserves-1, Section 62M-679, designated as Part 1 on Plan 62R-12354,

City of Hamilton

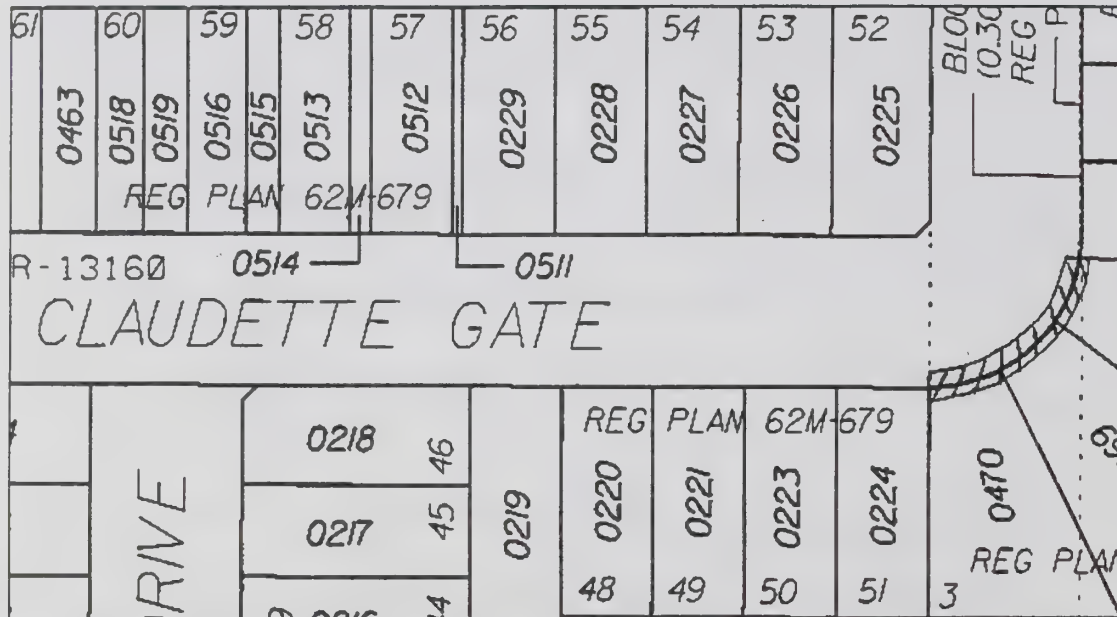
Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

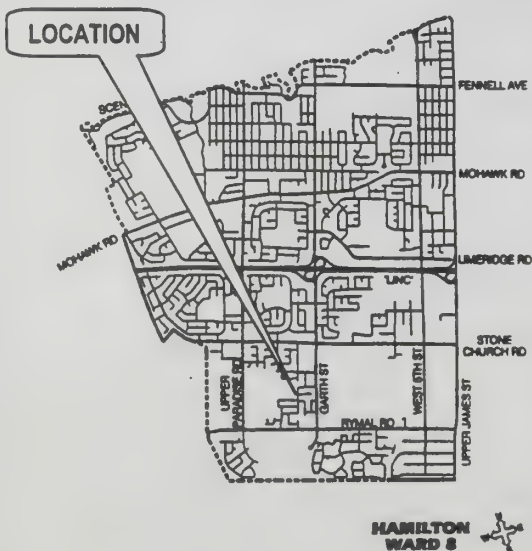
PASSED this 14th day of March, A.D. 2000.

Municipal Clerk

Mayor



KEY MAP



LOCATION PLAN

CLAUDETTE GATE
Part 1 on Plan 62R-12354 and
Block 144 on Plan 62M-679

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND



SUBJECT LAND

SCALE
NOT TO SCALE

DATE
2000-02-15

REFERENCE FILE NO: S703-087

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 32 ON PLAN 62M-750
INTO DONNICI DRIVE

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Donnici Drive within its limits;

AND WHEREAS the said land is owned by the Corporation of the City of Hamilton.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Donnici Drive.

All of Block 32, Plan 62M-750,

City of Hamilton

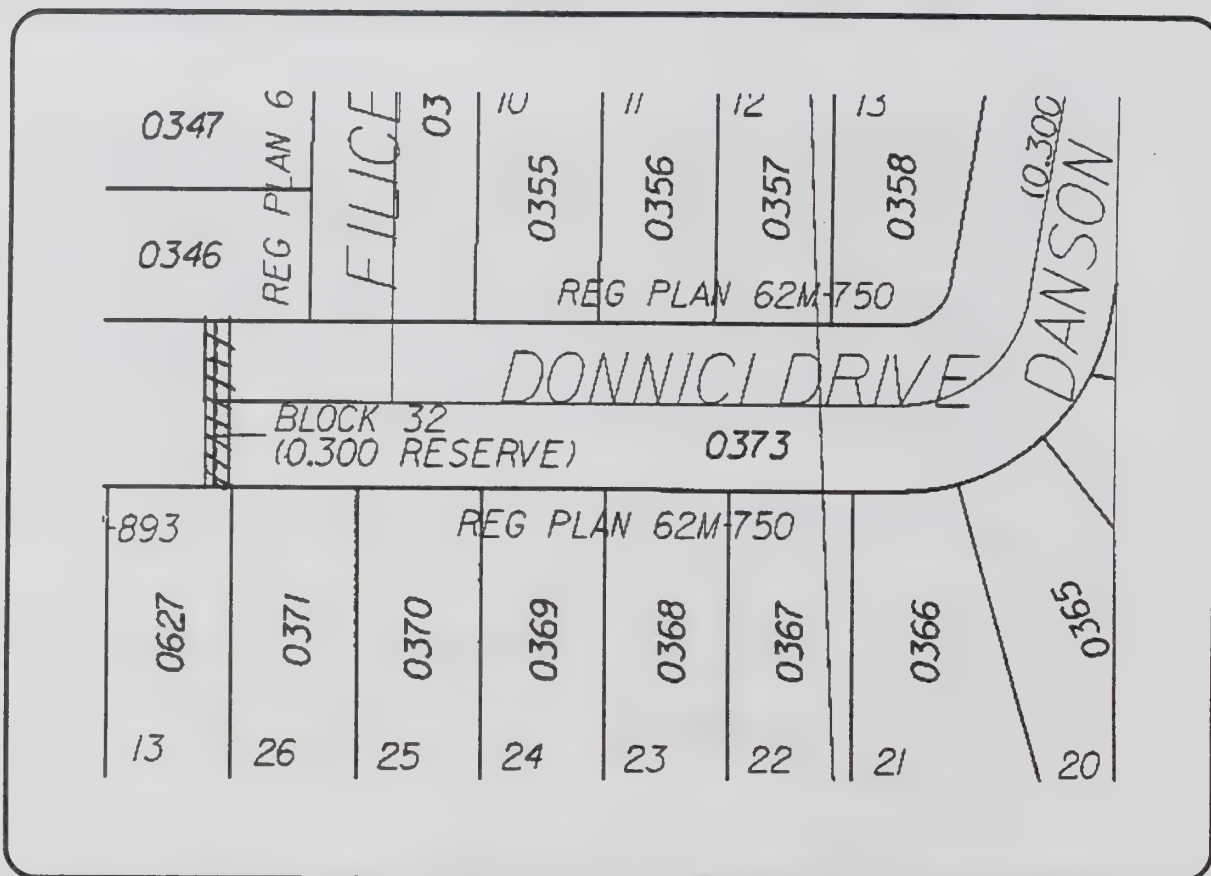
Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

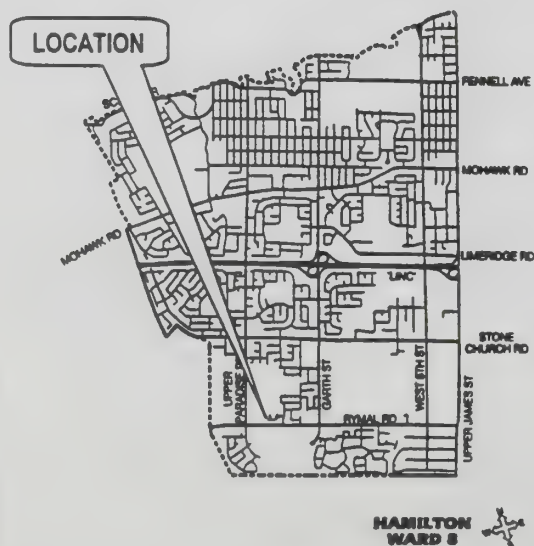
PASSED this 14th day of March, A.D. 2000.

Municipal Clerk

Mayor



KEY MAP



LOCATION PLAN

DONNICI DRIVE
Block 32 on Plan 62M-750

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND



SUBJECT LAND

SCALE
NOT TO SCALE

DATE
2000-02-15

REFERENCE FILE NO: S716-041

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-14682
INTO DUNSMURE ROAD

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Dunsmure Road within its limits;

AND WHEREAS the said land is owned by the Corporation of the City of Hamilton.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Dunsmure Road.

Part of Lot 24, Registered Plan 491, designated as Part 1 on Plan 62R-14682,

City of Hamilton

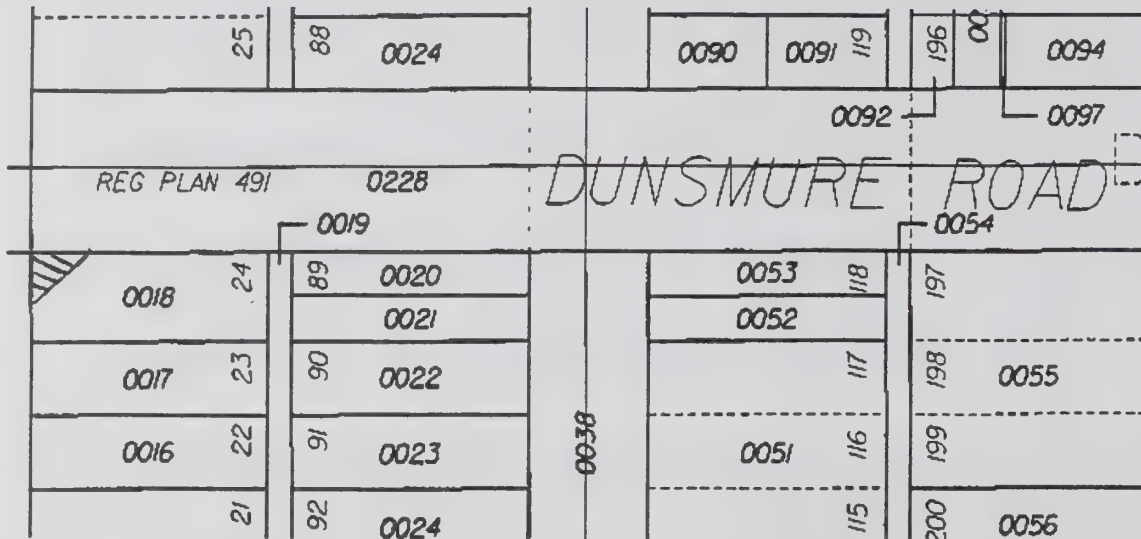
Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of March, A.D. 2000.

Municipal Clerk

Mayor



KEY MAP



LOCATION PLAN

DUNSMURE ROAD
Part 1 on Plan 62R-14682

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND



SUBJECT LAND

SCALE
NOT TO SCALE

DATE
2000-02-15

REFERENCE FILE NO: S-601-02

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 2 ON PLAN 62R-14840
and BLOCK 22 ON PLAN 62M-864
INTO MARILYN COURT

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Marilyn Court within its limits;

AND WHEREAS the said land is owned by the Corporation of the City of Hamilton.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Claudette Gate.

All of Block 22, on Plan 62M-864, and Part of Lot 13, Concession 8, designated as Part 2 on Plan 62R-14840,

City of Hamilton

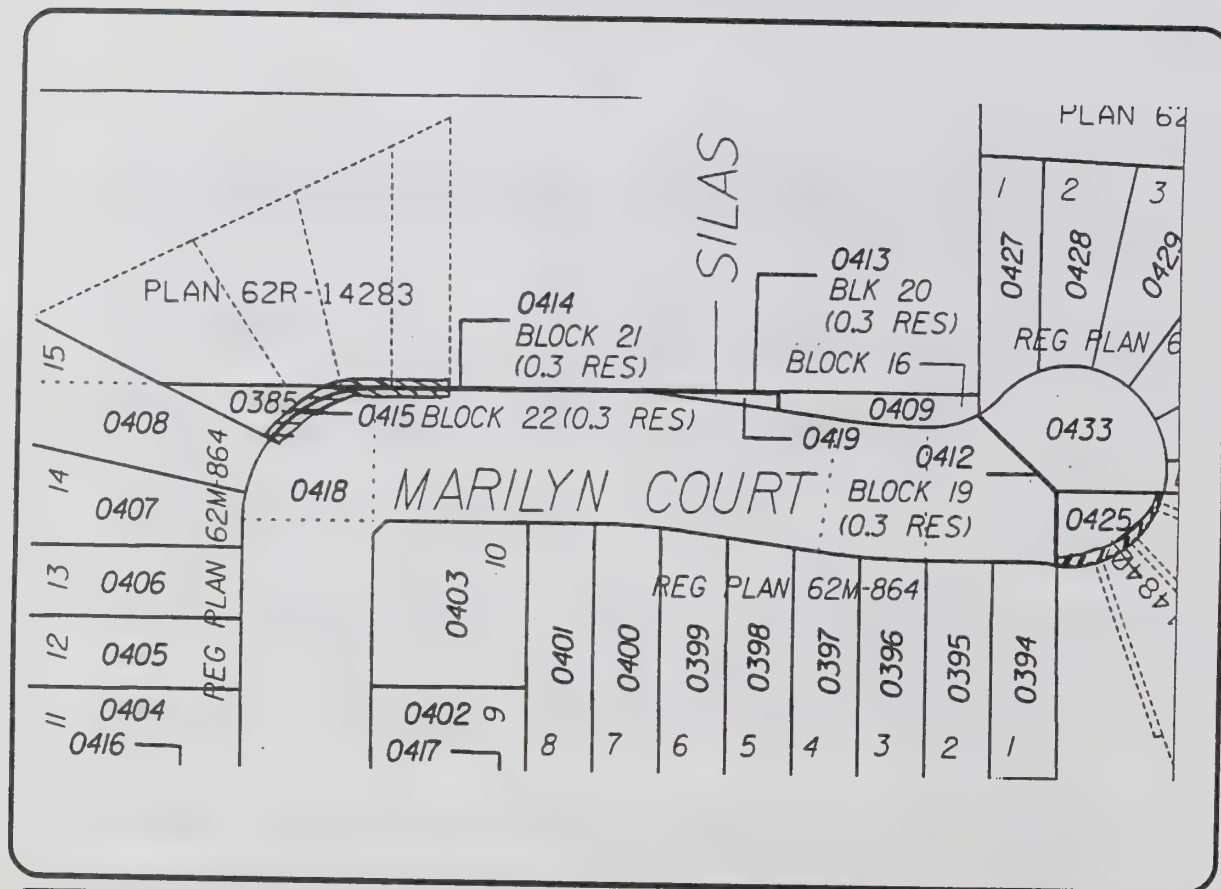
Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

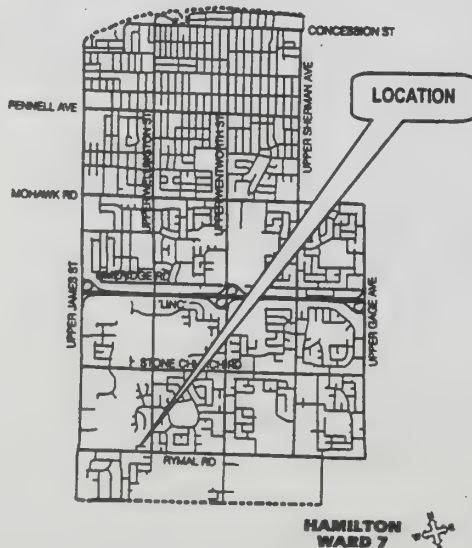
PASSED this 14th day of March, A.D. 2000.

Municipal Clerk

Mayor



KEY MAP



LOCATION PLAN

MARILYN COURT
Part 2 on Plan 62R-14840 and Block 22
on Plan 62M-864

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND



SUBJECT LAND

SCALE
NOT TO SCALE

DATE
2000-02-15

REFERENCE FILE NO: **S726-238**

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCKS 56, 57 and 58 ON PLAN 62M-836
INTO TOWNMANSION DRIVE

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Townmansion Drive within its limits;

AND WHEREAS the said land is owned by the Corporation of the City of Hamilton.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Townmansion Drive.

All of Blocks 56, 57 and 58, Plan 62M-836

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 14th day of March, A.D. 2000.

Municipal Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 25 (Parking Time Limits)** of By-law 89-72, as amended, is hereby further amended by deleting therefrom the following item, namely:-

"Hillyard	West	Munroe to Brant	1 hr	8 am - 8 am	Mon-Sun"
				(24 hrs)	

2. That **Schedule 26 (No Parking Areas)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"King William South	commencing 118 feet east of John and	Anytime
	and extending 101 feet easterly	

Cheever	West	commencing at Barton and extending	Anytime
		68 feet northerly therefrom	

Hillyard	West	commencing 45 feet north of Munroe	Anytime
		and extending to Brant	

Upper Gage East	Rymal to Ossington	Anytime"
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and by deleting therefrom the following items, namely:-

"Royal	South	Emerson to 67 feet east	Anytime
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Cheever	West	Barton to 175 ft. north	Anytime
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Hillyard	West	Brant to 150' South	Anytime
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Upper Gage East	commencing 324 feet north of Ossington	Anytime
	and extending to 35 feet northerly therefrom	

Rosanne Cres.	North	Palmer to 148 ft. west	Anytime
Rosanne Cres.	South	Palmer to 156 ft. west	Anytime
Rosanne Cres.	Both	End to End 8:30 am - 6 pm	Mon - Fri"

3. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Lorne	East	Afton to Maplewood	Anytime
Oak	West	commencing 309 feet north of Cannon and extending 24 feet northerly therefrom	Anytime
Oak	East	commencing 128 feet north of Cannon and extending 24 feet northerly therefrom	Anytime
Cumberland	South	commencing 108 feet west of St. Clair and extending 18 feet westerly therefrom	Anytime
Edgar	West	commencing 200 feet north of Campbell and extending 17 feet northerly therefrom	Anytime
Park Row	East	commencing 82 feet north of Dunsmure and extending 21 feet northerly therefrom	Anytime
Rosanne	Both	Palmer to the westerly end	9 :00 a.m." - 5:00 p.m. Mon - Fri

and by deleting therefrom the following items, namely:-

"Florence	South	commencing 301 feet east of Dundurn and extending 22 feet easterly therefrom	Anytime
Gibson	West	commencing 257 feet north of Cannon and extending 18 feet northerly therefrom	Anytime
Gibson	East	commencing 279 feet north of Cannon and extending 17 feet northerly therefrom	Anytime
Lorne	East	Afton to Maplewood	8:00 a.m. - 5:00 p.m. Mon - Fri
Lloyd	South	commencing at a point 267 feet west of Gage to Chapple	Anytime"

3. In all other respects By-law 89-72 and all Schedules thereto, as amended, is hereby confirmed unchanged.

4. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 14th day of March, 2000.

MUNICIPAL CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 00 -

To Remove

Land within the "Gardens of Rymal – Phase 5" Subdivision, Plan 62M- 887
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton–Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements shall not apply to the following lands:

Lots 2 to 9 inclusive, Lots 24 to 26 inclusive, Lots 29 to 31 inclusive and Lots 37 to 39 inclusive – Registered Plan 62M-887 "Gardens of Rymal – Phase 5", in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.
2.
 - (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
 - (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
 - (c) This By-law shall expire on April 1, 2001.

PASSED this 14th day of March A.D. 2000.

Municipal Clerk

Mayor

Benemar Construction Inc., owner
(2000 March 14)
PLC-00-02

The Corporation of the City of Hamilton

BY-LAW NO. 00-

To Designate:

LAND LOCATED AT MUNICIPAL NO. 88 FENNEL AVENUE WEST

As Property of:

HISTORIC AND ARCHITECTURAL VALUE AND INTEREST

WHEREAS the Council of The Corporation of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18;

AND WHEREAS no notice of objection was served on the Municipal Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 88 Fennell Avenue West, Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of historic and architectural value and interest.
2. The Corporate Counsel is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.
3. The Municipal Clerk is hereby authorized and directed,
 - (i) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Foundation by personal service or by registered mail;
 - (ii) to publish a notice of this by-law once in a newspaper having general circulation in the Municipality of the City of Hamilton.

PASSED this 14th day of March A.D. 2000

MUNICIPAL CLERK

MAYOR

Schedule "A"

To

By-law No. 00-

88 Fennell Avenue West, Hamilton, Ontario

PIN 17074-0009 (LT)

Part of Lot 15, Concession 4

formerly in the Geographic Township of Barton

now in the City of Hamilton

Regional Municipality of Hamilton-Wentworth

as in NS112274

Saving and Excepting as in Instrument #HL152296

Being the whole of the said PIN

Schedule "B"
to By-law No. 00-

Auchmar
88 Fennell Avenue West, Hamilton

REASONS FOR DESIGNATION

In 1852, Scotsman Isaac Buchanan, purchased property on the west mountain for an estate worthy of a successful wholesale merchant, civic leader, and aspiring political figure in the United Provinces of Canada. In 1855, he began building his country manor on lands totalling eighty-six acres. The entire property he named Claremont Park; the walled and landscaped portion he called Auchmar after his family's vast estate on Loch Lomond. This walled estate, consisting of approximately 9.6 acres, is located at the north-east corner of Fennell Avenue West and West Fifth Street.

1850s Country Estate in Hamilton

In Upper Canada during the pre-Confederation era, it was the fashion for wealthy gentlemen to leave their mark on the new country by building magnificent country estates. For over a century Hamilton was distinguished for its legacy of elegant country villas dating from this period, most of which have been lost with the city's expansion. Auchmar is one of only two such estates on the mountain to survive intact; the other being Chedoke on the escarpment brow.

In some ways, The Honourable Isaac Buchanan's country estate of Auchmar may be considered a sequel to Sir Allan MacNab's estate of Dundurn. Built twenty years later, on the mountain instead of the bay and in a later architectural style, Auchmar shares many of the same planning and design features found at Dundurn.

Essentially, both properties are modelled after the gentleman's country estate of Britain.

Like Dundurn, the entrance to Auchmar was heralded by a gate-lodge, located on its northern-most boundary at the escarpment brow (still existing at 71 Claremont Drive). For the requisite scenic approach to the grounds, Auchmar's driveway was designed as a .5 kilometre treed allee (following today's streets of Arcade and Glenwood Crescents) passing through an arched entranceway (now closed) into Buchanan's secluded private grounds. The treed allee continued southwards towards the main focal point, Buchanan's manor house, a home with presence and dignity, enhanced by landscaped gardens. The drive proceeded to circle around to the south entrance facade of the house, designed as a perfect mirror image of the north garden face.

Buchanan's complex includes additional structures typical of a gentleman's estate: a carriage house, two arched passageways, high garden walls, and a square, two-storey dovecote, all constructed in stone. The first stone wall swings north-east from the archway at the carriage house around to the dovecote, creating a sizeable, south-facing walled garden. A second high stone wall extends along the east border of the property and partially across its north boundary, designed to provide privacy and a shelter for Buchanan's original orchard. Most of this orchard wall still exists as do a number of apple trees believed to be remnants from his original planting. A third low stone wall runs along the south border of the property at Fennell Avenue.

Today, this historic enclave, although little known to the outside community, represents a rare and significant cultural heritage landscape, dating from one of Hamilton's most illustrious building periods. In 1970, Buchanan's Auchmar and its gatehouse Claremont Lodge were recognized and plaqued as a property of Provincial significance.

Picturesque Cultural Landscape

Like Dundurn, Auchmar survives today as a rare and outstanding example of a mid-nineteenth century Picturesque country estate, complete with manor house, outbuildings and landscape features. With its built and natural features integrated into a comprehensive design, Auchmar fully upholds the principles of the Picturesque: its setting is secluded and wooded; its structures and landscaping display an interest in movement and variety; and the choice of design capitalises on the play of light and shadow. The verandahs and terraces (now gone) once served to extend interior space outdoors into the garden, another key component of the Picturesque.

The architect of Auchmar is to date unknown; the landscape design is attributed to George Laing, a British landscape architect responsible for gardens at Dundurn Castle and Rock Castle in Hamilton, and Woodend in Ancaster (presently the HRCA headquarters).

Gothic Revival Style

The manor house of Auchmar is considered to be an excellent, full-blown example of the Gothic Revival style in Upper Canada, characterised by the use of such features as multiple gables, bargeboard decoration, pointed arched windows, bay windows and clustered chimney stacks. The lively and intricate detailing of the Gothic style enhances the Picturesque effect of the whole.

By comparison to the more formal Gothic mansions in Hamilton, like Inglewood and Rock Castle, Auchmar takes the more informal, playful aspects of the Gothic Revival and expands them to the grand scale of a country mansion. Unusual, too, is its interior layout based on a Roman cross plan with the central hallway running the width of the house flanked by staircases at each end. Designing identical front and garden facades, likewise, provided an inventive solution to creating equally important facades: the approach (north) side and the formal entry (south) side.

The Gothic Revival style was also successfully integrated throughout the estate. The interior of the manor house shows gothic detailing in the rib vaulting of the hallway, pointed arched doors, decorative wooden shutters, plaster ceiling, fireplaces, etc. Gothic detailing also appears on all the outbuildings—in the matching diminutive gatehouse, in the carriage house's bargeboard and pinnacles; in the dovecote's bargeboard, cupola and traceried pigeon holes; and in the latticed garden pagoda (now gone).

The Honourable Isaac Buchanan

The Honourable Isaac Buchanan (1810-1883) was a man of many achievements—in business, politics and church affairs. He became one of the country's leading wholesale merchants and together with several other businesses established Hamilton as an important wholesale distribution centre. Buchanan was one of Hamilton's major civic leaders from the 1850s to the 1870s, as a promoter of the railway and as a prominent figure in local politics and the Scottish Presbyterian community. He was also an influential figure in the politics of the United Provinces of Canada.

As Entrepreneur

Isaac Buchanan began his mercantile career in Glasgow as an apprentice with the trading firm, William Guild & Co. and moved to Montreal in 1830. By 1834, Isaac and his older brother Peter were able to establish their own firm, Peter Buchanan and Company, based in Glasgow. In 1840, the wholesale dry goods and groceries firm of Buchanan, Harris and Company was established in Hamilton, with a branch office in Montreal. With Isaac's fearless opportunism and his partners' managerial skills, the Buchanan enterprise expanded rapidly, becoming one of the largest and most profitable wholesale businesses in Upper and Lower Canada. Isaac Buchanan played an instrumental role in the formation of boards of trade, becoming first president of the Toronto Board and later the Hamilton Board (formed in 1864).

As Politician

Throughout his life Isaac Buchanan was passionately engaged in politics. In the early 1840s, he served as representative for Toronto in the first Legislative Assembly of the Province of Canada. He later served several terms as Hamilton representative (between 1857 and 1867) and was also appointed president of the Executive Council in the 1864 Tache Macdonald administration. He also deserves much of the credit, along with Sir Allan MacNab, for bringing the Great Western Railway to Hamilton.

As Religious Leader

As a man of religion, Buchanan gave liberally in time and wealth to Presbyterian causes and churches across the country. He was strongly committed to promoting the Knox "free" church, donating to the building fund for the first Knox Church in Hamilton (1845) and later bearing the major cost of erecting the MacNab Street Church (1856).

History of Site

The mountain estate of Isaac and Agnes Buchanan, with its spacious villa and landscaped grounds, provided a fitting setting to raise their large family, entertain dignitaries, and hold church and political functions. Unfortunately, their enjoyment of Auchmar was relatively short-lived. Isaac's increasingly speculative and unprofitable business ventures forced him to begin selling off portions of his landholdings as early as 1862. In 1873, a large parcel to the west was sold for the construction of the Hamilton Asylum for the Insane and the remainder of his property, including Auchmar, was sold the following year to pay his creditors.

After 1874, Auchmar and the remainder of Buchanan's property changed ownership a number of times and continued to be subdivided. Around the turn-of-the-century, Auchmar was owned and occupied by Captain Alfred Trigge and his family. The estate was then acquired by Elsie Buchanan, the youngest daughter of Isaac and Agnes, who in turn sold it to Alan Vernon Young in 1926. During World War II, Auchmar served as a convalescent hospital for the R.C.A.F. The 33-acre property was further subdivided before the remaining portion was sold in 1945 to the Sisters of Social Service, a Roman Catholic order originating in Budapest, Hungary. The Sisters acquired the original building complex and surrounding landscaped grounds (9.6 acres in size) with the intent of opening a novitiate for women studying to become members of the order. The original villa was enlarged in 1963 by the addition of a large rear wing (with a chapel and conference centre) to serve as a retreat house. In recent years, the Sisters have lived in the smaller modernized carriage house.

Significant Features

Many remnants still exist from the layout of Buchanan's original estate but only those features on the present-day Auchmar property are included in the designation.

The features important to the preservation of Auchmar include but are not limited to the following: built and natural landscape features: the manor house, carriage house, dovecote, garden walls (four), treed allee, orchard, walled garden and park-like setting with its open space and mature trees.

Significant features of the manor house include but are not limited to the following: all four original exterior facades—walls, gables, dormers, clustered chimney stacks, all original windows including the castellated bay windows, doors, mouldings, decorative bargeboard, pinnacles/pendants and brackets. Included also on the interior are the first and second storey hallways and vaulting, the staircases, and the original walls, doors, windows, shutters, fireplaces, wood and plaster mouldings, and wood panelling.

Significant features include the exterior facades of the carriage house—original stone walls, gables and dormers, and pinnacles; of the dovecote—the original stone walls, gables, bargeboard, traceried pigeon holes; the original stone garden walls with coping stones, openings and gates; and foundation remnants near the wooded area.

Excluded from designation are the attached garage and Holy Spirit Retreat Centre and any late 20th century additions to the building complex.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and Municipal Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
 - (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
 - (c) that any person may pay the Cancellation Price at any time.
 - (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
 - (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.
3. As also provided in the Municipal Tax Sales Act,
- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
 - (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 14th day of March 2000, A.D.,

MUNICIPAL CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

1) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	229 EAST 28 th ST. 07 06760 5800 DECEMBER 7, 2000
2) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	257 QUIGLEY RD. 05 05340 1916 December 22, 2000
3) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	300 INVVERNESS AVE. E. 07 08130 3700 DECEMBER 7, 2000
4) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	223 TRAGINA AVE. N 04 03340 5340 DECEMBER 7, 2000
5) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	55 PINEHURST DRIVE 06 05530 3630 DECEMBER 22, 2000
6) PROPERTY ADDRESS SERIAL NUMBER REDEMPTION DATE	173 WOOD ST. E. 02 01630 3920 DECEMBER 7, 2000

BY-LAW NO. 00-

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 14TH DAY OF MARCH, 2000.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 14TH day of MARCH A.D. 2000

MUNICIPAL CLERK

MAYOR



AGENDA

CITY OF HAMILTON CITY COUNCIL

Tuesday, March 28, 2000

7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Hamilton Public Library
Urban/Municipal Collection
2nd Floor, 55 York Boulevard
Hamilton, Ontario L8K 3K1
1 BILL

J. J. Schatz
Municipal Clerk

CALL TO ORDER

1. NATIONAL ANTHEM.

2. OPENING PRAYER: Elder Walter Cooke, Ojibway/Cree Nation
First Nations Community

3. PRESENTATIONS

3.1 Certificates of Recognition:

- a) Kyle Kloosterman, 2000 Provincial Bantam
10-Pin Bowling Champion
- b) Hamilton Power Bladers In-Line Hockey Association
1999 Provincial and International Champions

4. ADOPTION OF THE MINUTES OF THE MEETINGS HELD:

4.1 March 7, 2000 (Special)

4.2 March 14, 2000 (Regular)

4.3 March 21, 2000 (Special)

5. CORRESPONDENCE.

6. REPORTS OF THE STANDING COMMITTEES:

6.1 Planning and Development Committee – Report 06-00

6.2 Finance and Administration Committee – Report 07-00

6.3 Grants Committee – Report 01-00 (to be distributed)

URBAN MUNICIPAL

MAR 28 2000

GOVERNMENT DOCUMENT

7. NOTICE OF MOTION FOR NEXT MEETING.
8. APPOINTMENT OF ACTING MAYOR FOR THE MONTH OF APRIL, 2000
- Alderman T. Anderson
9. QUESTION PERIOD.
10. ADJOURNMENT

MINUTES



MINUTES

CITY OF HAMILTON SPECIAL CITY COUNCIL

Tuesday, March 7, 2000
10:15 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
D. Haining, B. Morelli, D. Wilson, G. Copps,
C. Collins, F. Eisenberger, B. Charters, T. Jackson,
T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan.

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman D'Amico and seconded by Alderman Collins that Rule No. 3(d) of the City Procedural By-law respecting the notice required for calling a special meeting of City Council be waived. **CARRIED.**

It was moved by Alderman D'Amico and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the appointment of a City Manager with Mayor R. Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Morelli, Copps, Wilson, Collins, Eisenberger, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

RESOLUTIONS

Appointment of City Manager; Demolition Permit for 65 Biggar Ave; and
Adoption of Bills E-003 and E-004

Re: Appointment of Acting City Manager

It was moved by Alderman D'Amico and seconded by Alderman Collins:

- (a) That Mr. James P. Bruzzese be appointed Acting City Manager for the City of Hamilton/Region of Hamilton-Wentworth, Salary Schedule A, Step 1 effective April 3, 2000 and terminating on December 31, 2000; and
- (b) That the Director of Legal Services and Corporate Counsel be authorized and directed to prepare the appropriate by-laws appointing Mr. Bruzzese to the position of Acting City Manager.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Morelli, Copps, Collins, Eisenberger, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Wilson -1.

CARRIED.

Re: Adoption of Bills

It was moved by Alderman D'Amico and seconded by Alderman Collins

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

E-003 A By-law to Appoint a Chief Administrative Officer/City Manager for the Corporation of the City of Hamilton.

E-004 A By-law to Confirm the Proceedings of The Council of the Corporation of the City of Hamilton.

CARRIED.

Re: Rule No. 9 - Demolition Permit - 65 Biggar Avenue

It was moved by Alderman Morelli and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a demolition permit for 65 Biggar Avenue.
CARRIED.

* * * * *

Re: Demolition Permit – 65 Biggar Avenue

It was moved by Alderman Morelli and seconded by Alderman Collins that the Building Commissioner be authorized to issue a demolition permit for 65 Biggar Avenue in accordance with By-law No. 74-290 pursuant to Section 33 of the Planning Act, as amended.
CARRIED.

* * * * *

It was moved by Alderman D'Amico and seconded by Alderman Collins that the Report of the Committee of the Whole on the resolution respecting the appointment of a City Manager and a Demolition Permit for 65 Biggar Avenue, be adopted.
CARRIED.

* * * * *

Hamilton City Council then adjourned at 10:35 p.m.

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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
March 7, 2000
JJS/dg**



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, March 14, 2000
7:30 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, G. Copps, D. Wilson, C. Collins, F. Eisenberger,
T. Jackson, T. Anderson, B. Kelly, F. D'Amico, D. O'Sullivan

Regrets: Alderman D. Haining – Other Business
Alderman B. Charters - Other Business

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Pastor Douglas McClain, led Council in prayer.

ADOPTION OF MINUTES

The Minutes of the meetings held February 29, 2000 (regular) and March 7, 2000 (special) were adopted as circulated.

CORRESPONDENCE

1. Application dated March 7, 2000 from Columbia International College, 1033 Main Street West, Hamilton for a modification to the "C" (Urban Protected Residential, etc.) District for property at 1015 Main Street West, Hamilton, Ontario.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. -14.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 05-00

Rule No. 9 Re: Temporary Road Closure – 33 Bowen Street

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit the consideration of a resolution respecting Temporary Road Closure, 33 Bowen Street.

CARRIED.

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Section 10 Re: Temporary Road Closure – 33 Bowen Street

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 10 of Report 05-00 of the Transport and Environment Committee:

10. Temporary Road Closure: Bowen Street

That the application of Slainte Irish Pub at 33 Bowen Street in Hamilton to temporarily close Bowen Street from Jackson Street to the limits of the Slainte property on Friday, March 17, 2000 between 11:00 a.m. and 11:00 p.m., to hold a St. Patrick's Day festival, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police, or his designate, be received, and that such permits or authorizations as may be required by the Chief of Police, or his designate, be obtained; and
- (b) That the applicant provide proof of \$5,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region

harmless from all actions, causes of actions, interests, claims, demands, costs, damages, expenses and loss; and

- (c) That all barricading, detour signing and traffic control be subject to the direction of the Chief of Police, or his designate; and
- (d) That all barricading be supplied by and at the expense of the applicant; and
- (e) That "Temporary Road Closure" signs be installed, in advance, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic and at the expense of the applicant; and
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and the Region and at the expense of the event organizer; and
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and
- (h) That all property owners and tenants within the closure area of the route be notified of the event by the applicant, prior to the event, in a form acceptable to the Acting Commissioner of Public Works and Traffic; and
- (i) That the Alcohol and Gaming Commission of Ontario (AGCO) be advised that the City of Hamilton is aware of the application of Slainte Irish Pub for a temporary extension of its liquor licence to serve alcohol on the road allowance of Bowen Street from 11:00 am to 11:00 pm on March 17, 2000 and that the City has no objection to the AGCO issuance of the appropriate liquor licence for this event. **CARRIED.**

PARKS AND RECREATION COMMITTEE – REPORT 05-00
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Section 1 (d) Re: Hamilton Children's Museum Expansion**Recorded vote.**

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Copps. -1.

CARRIED.

Section 4 Re: Taste of Hamilton - Sale of Alcoholic Beverages, at Bayfront Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Jackson -1.

CARRIED.

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Section 5 Re: 2000 Special Events with Alcohol

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Jackson -1.

CARRIED.

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Section 6 Re: The Hamilton Tiger Cats Football Club - Alcohol

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Jackson. -1.

CARRIED.

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Section 8 Re: Hamilton Plumber's Association Annual Hockey Tournament - Mountain Arena - April 7-8, 2000 - Sale of Alcoholic Beverages

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. -13.

NAYS: Alderman Jackson. -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 05-00

Section 10 Re: Demolition of 244 King Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. – 13.

NAYS: Aldermen Copps and Wilson.. -2.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 05-00
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Section 3 Re: Development Charges By-law

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Section 3 of Report 05-00 of the Finance and Administration Committee respecting City of Hamilton Development Charges By-law Amendments be referred back in order that an additional clause and the appropriate By-law can be added at Committee and presented to City Council as a complete package.

CARRIED.

Rule No. 9 Re: Introduction of Bills

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of the addition of the Bills for the Finance and Administration Committee.

CARRIED.

Section 12 Re: Introduction of Bills

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following be added as Section 12 of Report 05-00 of the Finance and Administration Committee:

12. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- | | | | |
|-----|-------|--|-----------------|
| (a) | D-008 | A By-law to authorize an Extension Agreement for payment of Realty Tax Arrears | |
| (b) | D-009 | A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton. | CARRIED. |

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Rule No 9 Re: Introduction of Bill D-010

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a By-law to provide for the more effective regulation of the activities of persons carrying on the business of a pedlar at locations adjacent to road allowances within the City of Hamilton. **CARRIED.**

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Re: Section 12 (c) Added Bill

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that the following Bill be added as Sub-section (c) of Section 12 of Report 05-00 of the Finance and Administration Committee:

- (c) D-010 A By-law to provide for the more effective regulation of the activities persons carrying on the business of a pedlar at locations adjacent to road allowances within the City of Hamilton.

CARRIED.

RESOLUTION

Millennium Funding Allocations

Rule No. 9 Re: Millennium Funding Allocations

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow consideration of a motion respecting Millennium funding allocations.

CARRIED.

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Re: Millennium Funding Allocations

It was moved by Alderman Wilson and seconded by Alderman O'Sullivan that

- (a) That Appendix "A" of Section 1 of the Mayor's Report 01-00 approved by City Council on Tuesday, January 25, 2000 be amended to:

- (i) Recognize the withdrawal of a funding request from the Mothers Against Drunk Drivers in the amount of \$6,000; and
 - (ii) Reallocating this amount to the Canadian National Highland Games (the Hamilton Highland Games) for \$3,000. and to the Durand Neighbourhood Association Inc. (The Co-Operative Approach to Community Action) for \$3,000.
- (b) That the Mayor, on behalf of the Millennium Sub-Committee, forward this motion to the Minister of Citizenship, Culture and Recreation. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

Note: The meeting adjourned at 9:05 p.m.
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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
March 14, 2000
JJS/dg**



MINUTES

CITY OF HAMILTON SPECIAL CITY COUNCIL

Tuesday, March 21, 2000

11:20 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
B. Morelli, D. Haining, D. Wilson, G. Copps, C.
Collins, B. Charters, T. Jackson, T. Anderson, B.
Kelly, F. D'Amico, D. O'Sullivan.

Absent: Alderman F. Eisenberger - vacation

Mayor R. M. Morrow called the meeting to order and distributed a copy of a letter to members of Council dated March 21, 2000 from Neil L. Bindman of Byers, Casgrain, Solicitors respecting the Sheraton Hamilton Hotel.

It was moved by Alderman Caplan and seconded by Alderman Collins that Rule No. 3(d) of the City Procedural By-law respecting the notice required for calling a special meeting of City Council be waived. **CARRIED.**

It was moved by Alderman Caplan and seconded by Alderman Collins that Council move into Committee of the Whole to consider the Report of the Finance and Administration Committee respecting City Development Charges, Appointment of an Acting Municipal Clerk and Commerce Place, 1 and 21 King Street West with Mayor R. Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE 06-00

Development Charges By-law amendments; Appointment of Acting Municipal Clerk; Commerce Place, 1 & 21
King Street West, Hamilton

* * * * *

It was moved by Alderman Caplan and seconded by Alderman Collins that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Charters, Anderson, Jackson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: -0.

CARRIED.

* * * * *

Hamilton City Council then adjourned at 11:25 p.m.

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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
March 21, 2000
JJS/dg**

CORRESPONDENCE

Correspondence:

1. Application dated March 17, 2000 from National Printing and Decorating Limited, for a change in zoning from "H" (Community Shopping and Commercial, etc) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified for lands at 801 and 803 King Street West and 80, 86 and 90 Carling Avenue, Hamilton, Ontario.

Recommendation: Be Received.

2. Application dated March 16, 2000 from Lynwood Hall Child and Family Centre for a change in zoning from "AA" (Agricultural) District to "DE" (Low Density Multiple Dwellings) District, modified for Blocks "1", "3" and "5" and from "C" (Urban Protected Residential, etc.) District to "DE" (Low Density Multiple Dwellings) District, modified for Block "2", "4" and "6" for property at 526 Upper Paradise Road, Hamilton, Ontario.

Recommendation: Be Received.

**PLANNING & DEVELOPMENT
COMMITTEE**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday, March 22, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:	Alderman F. D'Amico (Chairperson) Alderman G. Copps (Vice-Chairperson) Aldermen M. Caplan, R. Corsini, D. Haining, B. Charters, B. Kelly
Regrets:	Mayor R. M. Morrow (City Business) Alderman F. Eisenberger (City Business)
Also Present:	Alderman A. Horwath L. Coveyduck, G. Paparella, P. Mason, P. Mallard, A. Zuidema, P. Lampman, E. Switenky, B. Janssen, C. Lee-Morrison, N. Smith, C. Touzel

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 06-00 AND RESPECTFULLY RECOMMENDS:

1. City Initiative for a change in Zoning for 130 Bay Street South (St. Mark's Church) (PDC99137(A)) (Item 2.1)

That approval be given to City Initiative CI-00-A, for a change in zoning from "E-3" (High Density Multiple Dwellings) District, modified, to "A" (Conservation, Open Space, Park and Recreation) District, modified, to permit a place of worship (church) and outreach programs within the existing building only, for lands located at 130 Bay Street South, as shown on the attached map marked as Appendix "A", on the following basis:

- (a) That the subject lands be rezoned from "E-3" (High Density Multiple Dwellings) District, modified, to "A" (Conservation, Open Space, Park and Recreation) District; and,

- (b) That the "A" (Conservation, Open Space, Park and Recreation) District regulations as contained in Section 7. of Zoning By-law 6593, applicable to the subject lands, be modified to include the following variances, as special requirements:
 - (i) That notwithstanding Section 7.(1), only the following uses shall be permitted:
 - 1. A Place of Worship within the existing building only.
 - 2. Offices for outreach programs accessory to a Place of Worship, including counseling programs but excluding overnight accommodations, within the existing building only.
 - 3. Public open space.
 - (ii) Section 7.(2) shall not apply to the existing building.
 - (iii) Section 7.(3)(i), (ii) and (iii) shall not apply to the existing building.
 - (iv) Notwithstanding Section 7.(4) every lot or tract of land shall have a width of at least 38 m and an area of at least 1,380 m²; and,
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1443, and that the subject lands on Zoning District Map W5 be notated S-1443; and,
- (d) That Corporate Counsel be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W5 for presentation to City Council; and,
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

2. Staff Attendance at OMB Hearing - 298 Grays Road (PDC00056) (Item 4.1)

That the appropriate Staff (e.g. Legal Services and Community Planning and Development) be authorized to attend the Ontario Municipal Board hearing in support of the Committee of Adjustment decision to deny Application No. A-00:1, respecting property located at No. 298 Grays Road, as shown on the attached map marked as Appendix "B".

3. Demolition of 21 St. Olga Street (PDC00046) (Item 5.1)

That the Building Commissioner be authorized to issue a demolition permit for 21 St. Olga Street in accordance with By-law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

4. Demolition of 23 St. Olga Street (PDC00047) (Item 5.2)

That the Building Commissioner be authorized to issue a demolition permit for 23 St. Olga Street in accordance with By-law No. 74-290 pursuant to Section 33 of The Planning Act, as amended.

5. Auchmar, 88 Fennell Avenue West - Heritage Easement Agreement (PDC99098(C)) (Item 6)

That in accordance with the Ontario Heritage Foundation's Easement Acquisition Policy to secure resources to meet any new easement administration responsibilities, that approval be given to the Foundation's request for a municipal contribution to assist with the review of any alterations/additions to the Auchmar property (88 Fennell Avenue West, Hamilton) and periodic site monitoring as follows:

- (a) a one-time donation to the Ontario Heritage Foundation in the amount of \$10,000 to be financed through the Heritage Acquisition Reserve Account; and,
- (b) one annual monitoring site visit to be undertaken by Municipal Heritage Planning Staff.

6. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-009 A By-law to extend By-law No. 99-055 respecting land within the "Wellington Meadows, Phase 1" Subdivision, Plan 62M-877 from Part Lot Control.

- (b) C-010 A By-law to extend By-law No. 98-087 as amended by By-law No. 99-033 respecting land within the "Claudette Gate, Phase 9" Subdivision, Plan 62M-825 from Part Lot Control.
- (c) C-011 A By-law to Remove Land within the "Allison Estates Phase 6" Subdivision, Plan 62M-900 from Part Lot Control.
- (d) C-012 A By-law to Amend Zoning By-law No. 6593 respecting lands located at 164 Rymal Road West.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest (Item 1)**

None declared.

- (b) **City Initiative for a change in Zoning for 130 Bay Street South (St. Mark's Church) (PDC99137(A)) (Item 2.1)**

Christine Lee-Morrison, Community Planning and Development Division, provided an overview of the Staff report.

The Committee was advised that of the 1,253 notices mailed on this zoning change, 80 were received in favour, 13 were received in opposition, and 118 were returned unopened.

No Members of the Public were in attendance to speak on this matter.

- (c) **Adoption of Minutes – March 8, 2000 (Item 3)**

That the Minutes of the Planning and Development Committee for its meeting held March 8, 2000 be adopted.

- (d) **Information Item (Item 4.2)**

That the following Information item be received:

Information Report from the Acting Commissioner, Department of Public Works and Traffic re: Barton Village Business Improvement Area (BIA) Revised Board of Management (PWT00071)

- (e) **Demolition of 21 St. Olga Street (PDC00046) and 23 St. Olga Street (PDC00047)** (Items 5.1 and 5.2)

The Committee agreed to deal with these two reports collectively.

The following persons appeared before the Committee on this matter:

- (i) Rt. Reverend R. Hankevych, Pastor, Holy Spirit Ukrainian Catholic Church, 15 Olga Street, Hamilton, read a letter (no date) that was sent to the Building Department requesting a demolition permit for 21 and 23 Olga Street for the purposes of creating a playground for the children of The Holy Spirit School. Reverend Hankevych also expressed concerns that the January 11, 2000 petition that was submitted to the Building Department requesting that demolition permits not be issued for these properties, contained the names of twenty-four citizens that are not parishioners of the Church and that at least three citizens signed their names more than once. Given that the petition constituted less than 10% of the 430 parishioners, he requested that the Committee grant approval to the demolition permits.
- (ii) Rous Hulchuck, 54 West Avenue North, Hamilton, a pioneer and long-time member of the Church, expressed her concerns that the two houses in question have been allowed to deteriorate and become run down and also expressed her concerns regarding the poor condition of the Church. Ms. Hulchuk supported the retention of these houses for use by the Junior Priest and his family.
- (iii) Ann DiCesare, 382 West 5th Street, Hamilton, advised the Committee that these houses are in good condition, are needed for the Junior Priest and should be retained. She did however, indicate her concerns that needed repairs have not been undertaken on these houses and the Church. Ms. DiCesare asked the Committee not to approve the demolition of these buildings as she was advised by the School that additional playground space was not required for the children, and the demolition of these buildings would result in lost revenues for the Church.

- (iv) Father Renaldo Kekis, 60 Gardenvale Road, Etobicoke, Dean for the area, advised the Committee that the costs to repair the houses would be too costly and asked that the demolition permits be approved to accommodate much needed playground space for the children and parking for the Church.
- (v) James Procyk, 401 St. Andrews Drive, Hamilton, read the recent article that appeared in The Hamilton Spectator on this matter and indicated that the Parish Council, at its meeting held November 28, 1999 approved that these buildings should be demolished and felt that more room for a playground for the children was a valid reason to demolish these buildings. Mr. Procyk added that the Junior Priest could be housed at another location.
- (vi) Mr. W. Sadiwskyj, 153 Burrwood Drive, Hamilton, Secretary of the Church Committee for the past six years, expressed his support for the retention of these buildings. Mr. Sadiwskyj indicated that the houses' exterior appears to be in good condition and would be a convenient location to house the Junior Priest and questioned the need to spend more money on a house for the Junior Priest when a house already exists on the site. Mr. Sadiwskyj suggested that the Bishop and the Parish Members meet to resolve this matter peacefully.
- (vii) Mr. P. Mizibrocky, 202 Ottawa Street South, Hamilton, Chair of the Church Committee for the last twenty years, expressed his disappointment that this matter has come this far given that the houses were initially purchased for use as a parking lot and playground. Mr. Mizibrocky expressed his concerns that on a busy day, children are playing in amongst the vehicles and that it would cost too much to repair these houses.
- (viii) Roman Farenech, 77 Graham Avenue South, Hamilton, Member of the Church for approximately thirty years, supported the demolition of the houses for an expanded playground.

Alderman D'Amico also advised the Committee that he received a facsimile dated March 21, 2000 from Elena Lazar expressing concerns that if the buildings are to be demolished that the project be done properly and in a timely manner, so that the land is not left vacant, unused and unkept. Peter Lampman, Building Department, reported that the portion of the lot recommended for conversion to a parking lot would be subject to Site Plan Control, but that the playground area would not.

The Committee approved Reports PDC00046 and PDC00047 as distributed with the agenda. Alderman Copps wished to be recorded as opposed.

(f) **Auchmar, 88 Fennell Avenue West - Heritage Easement Agreement (PDC99098(C))** (Item 6)

It was moved by Alderman Charters and seconded by Alderman Copps that the Committee approve the expenditure of \$10,000 as identified in Report PDC99098(C).

Some concerns were raised by the Members of the Committee that also serve on the Local Architectural Conservation Advisory Committee on how the Ontario Heritage Foundation came up with the figure of \$10,000. So as not to hold this matter up any further, the Committee agreed to proceed with the recommendation but asked Staff to prepare an Information Report clarifying this matter prior to the City Council meeting on March 28, 2000.

Alderman Caplan wished to be recorded as opposed.

(g) **Introduction of New Staff Person - Legal Services and Corporate Counsel** (Item 7)

Art Zuidema introduced Nancy Smith who will be replacing him as the Legal Services and Corporate Counsel resource to the Community Planning and Development Division and the Planning and Development Committee.

(h) **Staff Report on Pool Tables in Businesses/Restaurants Requested** (Item 7)

For the next meeting, Alderman Charters requested Staff to bring back a report and By-law respecting the use of pool tables in businesses/restaurants, etc.

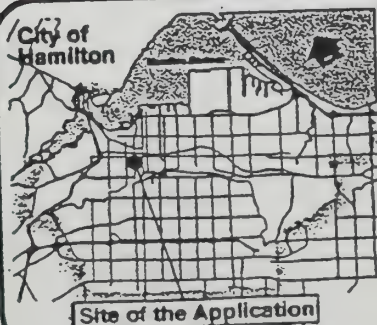
(i) Update Requested re: Homes on Biggar Avenue (Item 7)

Alderman Haining requested that Community Planning and Development Division Staff provide him with information on the status of zoning and future plans for the fourteen remaining homes on Biggar Avenue that are currently zoned "K".

Note: The meeting of the Planning and Development Committee adjourned at 11:06 a.m.

**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Charlene Touzel, Legislative Assistant
March 22, 2000**



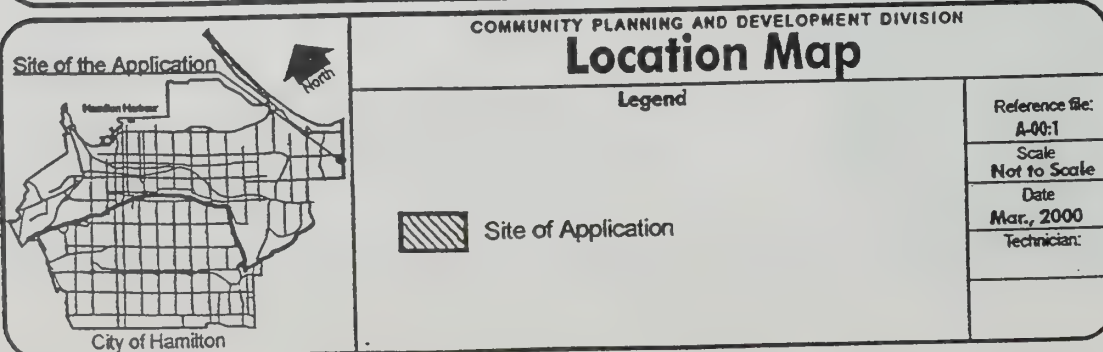
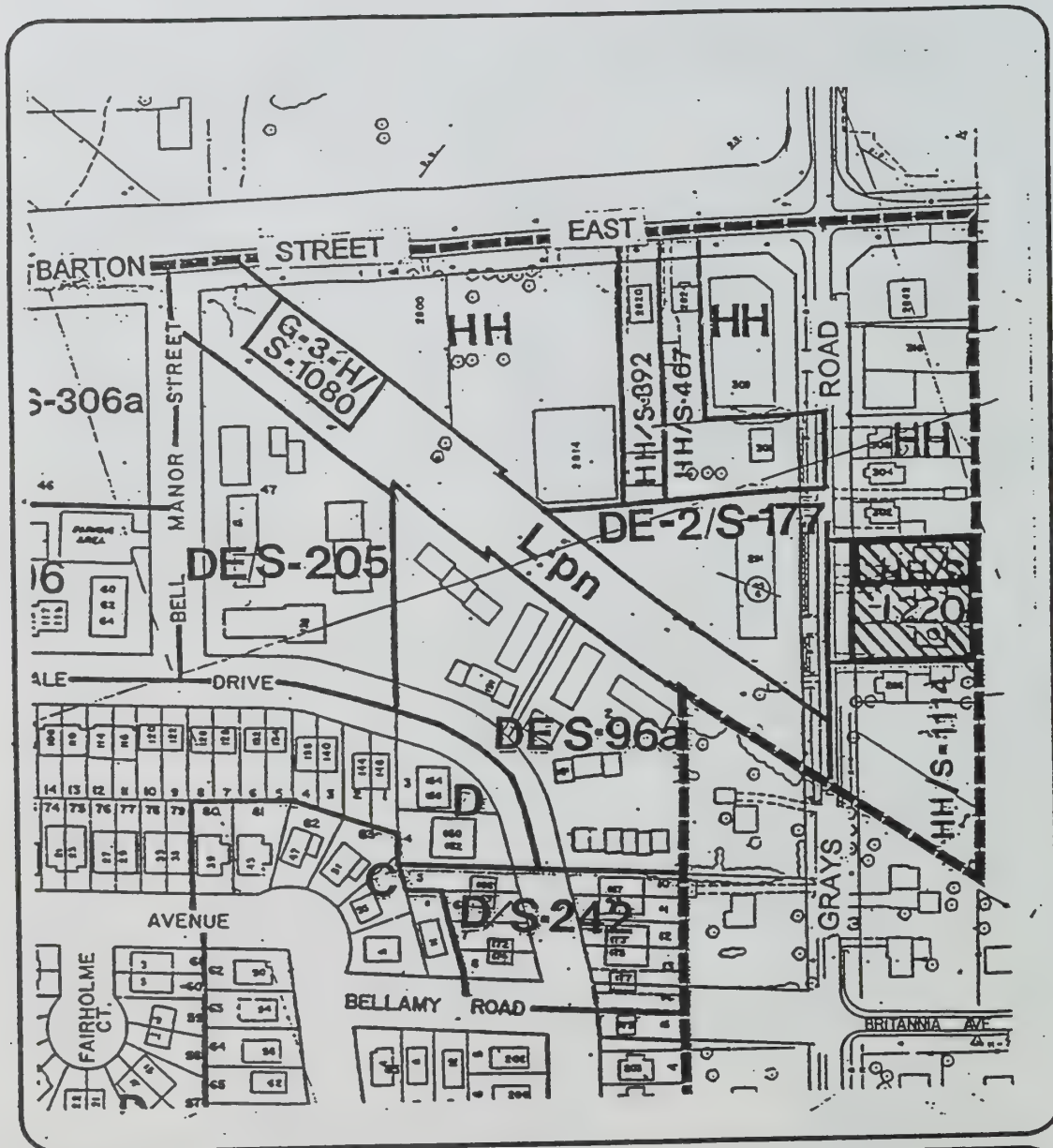
Location Map

From "E-3" (High Density Multiple Dwellings) District, modified, to "A" (Conservation, Open Space, Park and Recreation) District, modified

Technician:
D.L.

Site of the Application

Appendix "B" as referred to in Section 2
of Report 06-00 and of the Minutes of the
Planning and Development Committee
for its meeting held March 22, 2000



FINANCE & ADMINISTRATION
COMMITTEE



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, March 21, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

- Present:** **City Finance and Administration Committee**
Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly
- Regrets:** Mayor R. Morrow - City business
- Region Finance and Administrative Services Committee**
Councillor B. Charters (Chairman), Councillor G. Etherington (Vice-Chairman), Regional Chairman T. Cooke, Councillors D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, D. Wilson, M. Caplan, A. Sloat
- Regrets:** Councillor A. Bain - City business
- Also present:** Councillor T. Anderson, J. Bruzzese, L. Bourns, D. Powers, A. Ross, Fire Chief G. Peace, K. Nutley, A. Zuidema, M. Hill, J. Spiler, L. Gohier, R. Fair, H. Vastis, S. Reeder

Alderman D. Wilson, Chairman called the meeting to order.

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 07-00 AND RESPECTFULLY RECOMMENDS:

1. **Financing of West 5th Area Stormwater/Infrastructure Study (FIN00023)(Item15)**
 - (a) That as referred to in Section 4 of Report 03-00 of the Planning and Development Committee approved by City Council on February 8, 2000,

the cost of the West 5th Area Stormwater Infrastructure Study in the amount of \$175,000 be funded from the Storm Sewer Reserve (Project ID 108010); and,

- (b) That as per the regulation made under the City of Hamilton Act, 1999, the project be referred to the Transition Board for consideration since it was not included in the approved 2000 Budget for capital projects.

2. Association of Municipal Managers, Clerks and Treasurers of Ontario - Annual Meeting and Professional Development Institute - June 11 - 14, 2000 - Hamilton Convention Centre (CS00012)

- (a) That a contribution in the amount of \$5,000 to the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) be approved to assist with the presentation of their 62nd Annual Meeting and Professional Development Institute to be held at the Hamilton Convention Centre from June 11 - 14, 2000; and,
- (b) That this contribution be financed from account COHAM 57242 265010 - Hosting of Conferences with Municipal Subject Content.

3. Offer to Purchase - 90 Kinrade Avenue, Hamilton - Hamilton Habitat for Humanity (CS00013)

- (a) That an Offer to Purchase, executed by Hamilton Habitat for Humanity (T. Charters, Chairman). on January 29, 2000 and scheduled to close on or before June 30, 2000, for the vacant lands composed of part of Lot 115, and Lot 116 all on Registered Plan 76, being all of PIN # 17197-0289(LT), having a frontage of 19.69 metres (64.63 feet) more or less along the eastern limit of Kinrade Avenue, Hamilton, and a depth of 27.43 metres (90.0) feet more or less and an area of 534.9 square meters (5,557.7 square feet) more or less, known municipally as 90 Kinrade Avenue, Hamilton, Municipal Parking Lot 12B, be approved and completed and the funds derived from the sale in the amount of \$2.00 be credited to Account COHAM 47702-104095 (Off Street Parking Reserve); and
- (b) That the sale to Hamilton Habitat for Humanity is conditional upon the City of Hamilton rezoning 90 Kinrade Avenue from the existing "G-3" zoning to a "D" zoning with modified parking requirements and that the closing date may be extended by 60 days in order to complete the zoning changes; and

- (c) That the required deposit cheque in the amount of \$2.00 be held by the General Manager, Finance pending completion of this transaction; and
- (d) That the amount required to fund the real estate commission on the sale of 90 Kinrade Avenue be funded from Hamilton Habitat for Humanities' existing balance of approximately \$12,303.13 in Centre # 10035 (Reserve for Property Purchase); and,
- (e) That the net proceeds that would have been received from the sale of 90 Kinrade Street in the amount of \$31,255.00 (the listing price of \$35,000 less 5% Commission and GST) be credited to the Parking Charge Financing Account COHAM 58165-490010 in order to write-down this portion of the outstanding debt balance of Parking Services; and
- (f) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel; and
- (g) That the City upon completion of this transaction shall pay a commission on the basis of 5% of the \$35,000 listing price plus GST (to total \$1,872.50) to John W. Harvey Real Estate Limited, whose agent Don Rankin acted in this matter; and
- (h) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in a form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) the property was declared surplus by City Council on June 29, 1999, pursuant to Item 13 of the 6th report of the Transportation and Environment Committee;
 - (ii) satisfactory notice has been given to the public of the intended sale;
 - (iii) an appraisal of the fair market value of this real property intended to be sold was obtained on May 29, 1999.

4. Sale of Surplus Property - part of 280 Lake Avenue North, Hamilton (CS00018)

- (a) That an Offer to Purchase Agreement, executed by Taresem Ryatt, President of Ramgarhia Association Hamilton, on March 10, 2000 and scheduled to close on or before July 12, 2000, for vacant lands being composed of part of Lot 25, Concession 1, in the geographic Township of Saltfleet, with a frontage of 20.23 metres (66.39 feet) more or less, along the easterly limit of Lake Avenue North and a depth of 104 metres (348 feet) more or less, containing an area of approximately 0.2 hectare (0.5 acre),

municipally known as part of 280 Lake Avenue North, Hamilton, be approved at the purchase price of \$105,600 and this amount be credited to Account No. COHAM 47702 100035 (Reserve for Property Purchases – Land Sale).

- (b) That the Offer to Purchase is subject to the standard clauses on the City's Offer to Purchase document, plus a clause that was added for the benefit of the Purchaser, stating that parcel is zoned "A" - Conservation, Open Space, Park and Recreation and that development of the property will require a re-zoning at the expense of the Purchaser.
- (c) That the required deposit cheque in the amount of \$8,500 is to be held by the General Manager, Finance pending completion of this transaction.
- (d) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel; and,
- (e) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) the property was declared surplus by resolution of City Council passed on January 25, 2000 with the adoption of Item 1 of Report 01-00 of the Finance and Administration Committee;
 - (ii) satisfactory notice has been given to the public of the intended sale;
 - (iii) an appraisal of the fair market value of the real property intended to be sold was obtained on February 21, 2000.

5. Sale of Surplus Property - 2418 Barton Street East (CS00016a)

- (a) That an Offer to Purchase Agreement, executed by Joe Frisina on March 16, 2000 and scheduled to close on or before December 15, 2000, for property located within part of Lot 27, Concession 2, in the geographic Township of Saltfleet, designated as Part 1, Plan 62R-4874, save and except Part 1, Plan 62R-8174, Part 1, Plan 62R-8513 and a one foot reserve across the entire rear lot boundary, being a parcel with a frontage of 40.68 metres (133.46 feet) more or less, along the southerly limit of Barton Street East and containing an area of approximately 0.692 hectares (1.71 acres) more or less, municipally known as 2418 Barton Street East, Hamilton, be approved at the purchase price of \$375,000 and this amount be credited to Account No. COHAM 47702 310055004 (Land Sale – Garage/Yards Rationalization Study); and,

- (b) That the required deposit cheque in the amount of \$37,500 is to be held by the General Manager, Finance pending completion of this transaction; and,
- (c) That the Offer to Purchase is subject to the standard clauses on the City's Offer to Purchase document which include clauses to the effect that the property is being sold on an "as is" basis, with no warranties or representations by the vendor as to environmental conditions, utilities, fitness for purpose of zoning, building by-laws, park, road widening or . . . other possible dedications, or as to charges, levies or other regulations of the City, Region, Utilities or other regulatory authorities.

In addition to the standard clauses are the following:

- (i) The Vendor at its expense will prepare a reference plan describing the property to be made available to the Purchaser at least 30 days prior to closing.
- (ii) The Vendor shall retain a one foot reserve across the entire width of the rear property boundary to prevent ingress and egress by vehicles from the subject industrial/commercial property onto Eastgate Court. Said one foot reserve will be shown on the reference plan prepared by the Vendor. The one foot reserve would be lifted and conveyed to the abutting owner at such time when the rear portion of the property is proposed to be developed for residential use as contemplated in the Neighbourhood Plan, subject to successful re-zoning of that area and the payment to the City and Region of servicing costs related to the development of Eastgate Court, which as of February 2000 were \$30,714.70.
- (iii) The Vendor agrees to pay a commission of 3% on the first \$250,000 of the selling price and 2.5% on the remaining portion of the selling price to the Purchaser's Real Estate Agent, Coldwell Banker Elite, (Joe Cosentino, Sales Representative), upon the closing of this transaction. In this instance, based on a total selling price of \$375,000, the amount of commission payable is \$10,625. Under no circumstances shall any commission be payable in the event this agreement is not completed.
- (iv) This Offer to Purchase agreement is conditional for a period of 60 days from the acceptance date, upon the Purchaser at its sole expense, arranging and obtaining an environmental assessment of the property to its satisfaction. Within said 60 day period, should the Purchaser not be satisfied with the environmental condition of the property, following its review and analysis of its environmental assessment, it may terminate this transaction upon written notice to

the Vendor, in which case this transaction shall be at an end and the deposit money returned in full to the Purchaser without interest. This condition is included for the benefit of the Purchaser and may be waived at its option by notice in writing to the Vendor within the 60 day time period noted above. If no written notice is received by the Vendor from the Purchaser within the 60 day period, it shall be assumed that the Purchaser is satisfied with the existing environmental condition of the property and intends to proceed to complete the transaction.

Within the said 60 day period, the Vendor agrees to allow the Purchaser and the Purchaser's authorized representative access from time to time, onto the subject property for the purpose of carrying out at the sole expense and risk of the Purchaser, such reasonable tests and inspections as the Purchaser and/or its authorized representative may deem necessary as long as the Purchaser makes good any damage occasioned thereby. Purchaser shall obtain consent for entry onto the property from the Acting Commissioner of Public Works and Traffic of the City of Hamilton, to minimize any disruption to the existing Public Works operation.

- (d) That the Mayor and Municipal Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the Corporate Counsel; and,
- (e) That the Municipal Clerk be authorized and directed to execute and issue a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act incorporating the following:
 - (i) the property was declared surplus by resolution of City Council passed on February 29, 2000 with the adoption of Item 10 of Report 04-00 of the Finance and Administration Committee;
 - (ii) satisfactory notice has been given to the public of the intended sale;
 - (iii) an appraisal of the fair market value of the real property intended to be sold was obtained on December 23, 1999.

6. Funding - Occupational Health and Safety Act (OHSA) Charges (C00300)(Item 23.1)

That the financing of additional costs for professional services rendered in relation to the Occupational Health and Safety Charges brought against the City of Hamilton in the accidental death of Mr. P. Faustini in an amount not to exceed

\$40,000 be funded from the Reserve for Contingency Account COHAM 58525 104015.

7. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-Law:

D-014 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes- Tuesday, March 7, 2000 (Item 11)

That the Minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on Tuesday, March 7, 2000 be adopted.

(c) Information Items Listing (Item 15 and 22.1)

The Committee approved the receipt of the listing of Information Items forwarded to them under separate cover.

- (i) General Manager, Finance - Federal Budget 2000 (FIN00028)
- (ii) Correspondence - Township of Glanbrook - Provision of Services in the new City of Hamilton - dated March 8, 2000
- (iii) Correspondence - Township of Glanbrook - Information Requests - Restructuring - dated March 9, 2000
- (iv) Correspondence - Ministry of Municipal Affairs and Housing - Bill 11, the Red Tape Reduction Act, 1999 - dated March 9, 2000
- (v) Information Report - General Manager, Community Services - Impact of the potential closing of Henderson Hospital on the delivery of Fire Services within the City of Hamilton - dated March 8, 2000
- (vi) Information Report - General Manager, Community Services - Appointment of Deputy Chief - Operations, Hamilton Fire Department (CSC00038)

(d) Development Charges Act - Complaint - Lot 13, Plan 395, 80 Newlands Avenue (FIN00004)

The Committee received and took no action on this matter.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 11:30 a.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
March 21, 2000**

GRANTS COMMITTEE

**Report of the meeting to be held
March 28, 2000
To be distributed at Council**



BILLS

CITY OF HAMILTON CITY COUNCIL

Tuesday, March 28, 2000

7:30 p.m.

**Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton**

- C-009 A By-law to extend By-law No. 99-055 respecting land within the "Wellington Meadows, Phase 1" subdivision, Plan 62M-877 from Part Lot Control.
- C-010 A By-law to extend By-law No. 98-087, as amended by By-law No. 99-033 respecting land within the "Claudette Gate, Phase 9" Subdivision, Plan 62M-825 from Part Lot Control.
- C-011 A By-law to remove land within the "Allison Estates Phase 6" subdivision, Plan 62M-900 from Part Lot Control.
- C-012 A By-law to amend Zoning By-law No. 6593 respecting lands located at 164 Rymal Road West.
- D-014 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

The Corporation of the City of Hamilton

BY-LAW NO. 00 —

To Extend By-law No. 99-055

Respecting:

Land within the "Wellington Meadows, Phase 1" Subdivision, Plan 62M-877
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** — Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** — A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** — An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** — A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** — The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** — The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

AND WHEREAS the Council of the Corporation of the City of Hamilton enacted By-law No. 98-087 on March 10, 1998 to remove the lands described in section 1 thereof from part lot control, which expires on March 15, 1999,

AND WHEREAS a request has been made for an extension of the time period specified for the expiration of By-law No. 99-055, as it relates to Lots 1 – 18, inclusive and Lots 21, 22 and 23, Registered Plan 62M-877 only;

AND WHEREAS approval under subsection (7.1) of the Planning Act is not required for an extension in accordance with Subsection (7.4) of the Planning Act;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(c) of By-law No. 99-055, is hereby repealed and the following substituted therefor:
 - "(c) Other than Lots 1 – 18, inclusive and Lots 21, 22 and 23, this By-law shall no longer be of any force and effect. As it relates to Lots 1 – 18, inclusive and Lots 21, 22 and 23, this By-law expires on April 1, 2001."
2. Section 1. of By-law No. 99-055 is hereby repealed and the following substituted therefor:

"Subsection 5 of Section 50 of the Planning Act, shall not apply, for the purposes of creating rights of encroachment and maintenance easements only, as shown on Reference Plan 62R-14997, to the following lands:

Lots 1 – 18, inclusive and Lots 21, 22 and 23, within Registered Plan Number 62M-877, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth."
3. In all other respects, By-law No. 99-055, is hereby confirmed, unchanged.
4. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 99-055.

PASSED this 28th day of March A.D. 2000.

MUNICIPAL CLERK

MAYOR

Scarlett Homes Ltd., Owner
PLC-99-01

The Corporation of the City of Hamilton

BY-LAW NO. 00 —

To Extend By-law No. 98-087, as amended by By-law No. 99-033

Respecting:

Land within the "Claudette Gate, Phase 9" Subdivision, Plan 62M-825
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** — Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** — A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** — An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** — A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** — The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** — The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton—Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

AND WHEREAS the Council of the Corporation of the City of Hamilton enacted By-law No. 98-087 on March 10, 1998 to remove the lands described in section 1 thereof from part lot control, which expires on March 15, 1999,

AND WHEREAS the Council of the Corporation of the City of Hamilton enacted By-law No. 99-033 on March 19, 1999 to extend the effective period of By-law No. 98-087 to April 1, 2000, applicable to Lots 15, 17, 18, 19, 20, 21, 22, 25, 26, 27, 30, and 31, Registered Plan 62M-825 only, to remove the lands from part lot control,

AND WHEREAS a request has been made for an extension of the time period specified for the expiration of By-law No. 98-087, as amended by By-law No. 99-033, as it relates to Lots 19, 21, 22, 25, 26, 27 and 31, Registered Plan 62M-825 only;

AND WHEREAS approval under subsection (7.1) of the Planning Act is not required for an extension in accordance with Subsection (7.4) of the Planning Act;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 2.(c) of By-law No. 98-087, as amended by By-law No. 99-033, is hereby repealed and the following substituted therefor:

"(c) Other than Lots 19, 21, 22, 25, 26, 27 and 31, this By-law shall no longer be of any force and effect. As it relates to Lots 19, 21, 22, 25, 26, 27, and 31, this By-law expires on April 1, 2001."

2. Section 1. of By-law No. 98-087, as amended by By-law No. 99-033, is hereby repealed and the following substituted therefor:

"Subsection 5 of Section 50 of the Planning Act, shall not apply, for the purposes of creating rights of encroachment and maintenance easements only, as shown on Reference Plan 62R-14374, to the following lands:

Lots 19, 21, 22, 25, 26, 27 and 31, within Registered Plan Number 62M-825, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth."

3. In all other respects, By-law No. 98-087, as amended by By-law No. 99-033, is hereby confirmed, unchanged.

4. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 98-087, as amended by By-law No. 99-033.

PASSED this 28th day of March A.D. 2000.

MUNCIPAL CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 00 -

To Remove
Land within the "Allison Estates Phase 6" Subdivision, Plan 62M- 900
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements shall not apply to the following lands:

Lots 10 to 16, inclusive, and Lots 19 to 32, inclusive, Registered Plan 62M-900 "Allison Estates Phase 6", in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.
2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.

(b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

(c) This By-law shall expire on April 1, 2001.

PASSED this 28th day of March A.D. 2000.

Municipal Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 00 -

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT 164 RYMAL ROAD WEST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9D of the District Maps appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

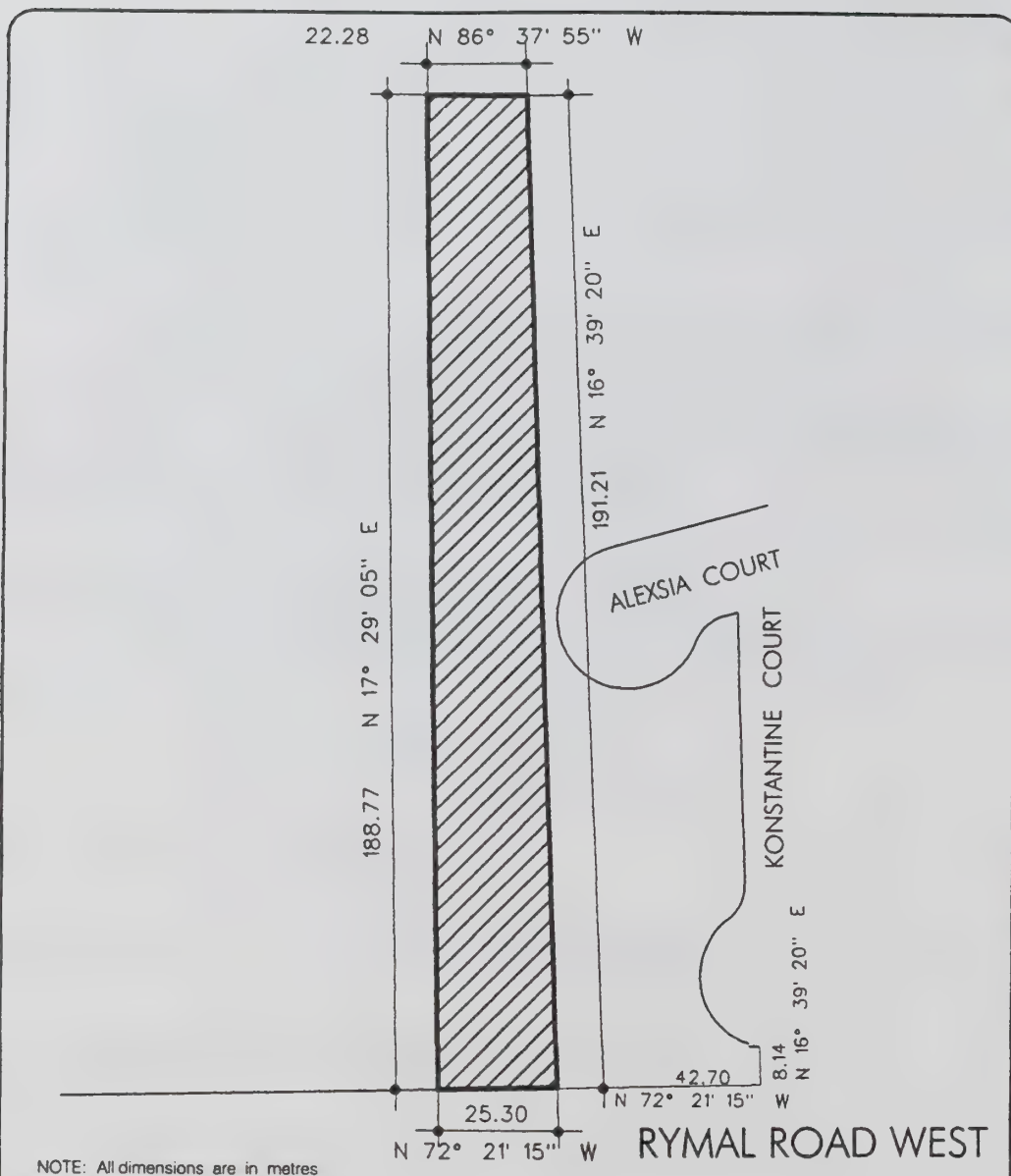
2. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 28th day of March A.D. 2000

MUNICIPAL CLERK

MAYOR

(2000) 02 R.P.D.C. 2, January 25
Demetre Dekaneas, Prospective Owner
ZAC-99-38 (as amended)



This is Schedule "A" to By-Law No. 00 -
 Passed the day of , 00.

 Clerk

 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 00-_____
 to Amend By-Law No. 6593

Community Planning and Development Division

Legend

Change in zoning from:

 "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District

North



Scale

NOT TO SCALE

Reference File No.

ZAC-99-38

Date

March, 2000

Drawn By

B. B.

BY-LAW NO. 00-

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 28TH DAY OF MARCH, 2000.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 28TH day of MARCH

A.D. 2000

MUNICIPAL CLERK

MAYOR



AGENDA

CITY OF HAMILTON CITY COUNCIL

Tuesday, April 11, 2000
7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

URBAN MUNICIPAL

APR 12 2000

GOVERNMENT DOCUMENTS

Kevin C. Christenson,
Acting Municipal Clerk

CALL TO ORDER

1. NATIONAL ANTHEM.

2. OPENING PRAYER: Imam Abdur Raouf Sanni
Islamic Mosque

3. PRESENTATIONS

3.1 Hamilton Wildcats Minor Bantam Boys Basketball Team
2000 "AAA" Provincial Champions

3.2 Hamilton Transway Atom Girls Basketball Team
2000 "AAA" Provincial Champions

3.3 Hamilton Special Olympics Figure Skating
2000 National and Provincial Champions
Julie Burdis, David Mullally, Nicki Turner

4. ADOPTION OF THE MINUTES OF THE MEETINGS HELD:

4.1 March 28, 2000 (Regular); and

4.2 March 30, 2000 (Special)

5. CORRESPONDENCE.

6. REPORTS OF THE STANDING COMMITTEES:

6.1 Transport and Environment Committee – Report 06-00

6.2 Parks and Recreation Committee – Report 06-00

6.3 Planning and Development Committee – Report 07-00

6.4 Finance and Administration Committee – Report 08-00

6.5 Hamilton-Scourge Steering Comm. – Report 01-00 (copy to follow)

6.6 City of Hamilton Licensing Committee – Report 03-00

6.7 Grants Committee- Report 02-00

MINUTES



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, March 28, 2000
7:30 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, G. Copps, D. Wilson, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Elder Walter Cooke, Ojibway/Cree Nation, First Nations Community, led Council in prayer.

PRESENTATIONS

Joan Denew and Anne Pearson presented to Mayor R. M. Morrow the "Golden Rule" and Mayor R. Morrow invited all members of City Council to attend the Christian Millennium Festival which is being held at Copps Coliseum on April 9, 2000. All non-Christian Faiths are invited to be in attendance.

Mr. Targhi presented to City Council a petition containing approximately 500 pages with 20 signatures per page petitioning the No Smoking By-law in Businesses.

Mayor R. M. Morrow presented a Certificate of Recognition to Kyle Kloosterman for winning two provincial bowling championships in the Bantam Division in 10 Pin Bowling.

Bob Weir, CIBC announced to City Council, that the former Locke and Herkimer CIBC Branch has been donated to the City of Hamilton to be used as a new branch of the Hamilton Public Library.

Mayor R. M. Morrow recognized Mr. J. J. Schatz, Municipal Clerk, for his years of service to the City. Mr. Schatz is retiring after 37 years service to the Corporation.

Mayor R. M. Morrow presented to the Clerk, a letter from the Minister of Citizenship, Culture and Recreation regarding the 2000 Syl Apps Awards of Excellence Program.

ADOPTION OF MINUTES

The Minutes of the meetings held March 7 (Special), March 14 (Regular) and March 21 (Special) were adopted as circulated.

It was moved by Alderman Wilson and seconded by Alderman Caplan that the Minutes of the Special meeting of City Council held on February 29, 2000 respecting the Sheraton Hotel Lease Agreement, and adopted on March 14, 2000 be reconsidered.

CARRIED.

It was moved by Alderman Wilson and seconded by Alderman Caplan that the Minutes of the Special meeting of City Council held on February 29, 2000 be amended by adding the following recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Haining, Copps, Jackson, Anderson, Kelly, D'Amico, O'Sullivan

NAYS: Aldermen Kiss, Wilson, Eisenberger, Collins, Charters. -5.

CARRIED.

CORRESPONDENCE

1. Application dated March 17, 2000 from National Printing and Decorating Limited, for a change in zoning from "H" (Community Shopping and Commercial, etc) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified for lands at 801 and 803 King Street West and 80, 86 and 90 Carling Avenue, Hamilton, Ontario.

Received.

2. Application dated March 16, 2000 from Lynwood Hall Child and Family Centre for a change in zoning from "AA" (Agricultural) District to "DE" (Low Density

Multiple Dwellings) District, modified for Blocks "1", "3" and "5" and from "C" (Urban Protected Residential, etc.) District to "DE" (Low Density Multiple Dwellings) District, modified for Block "2", "4" and "6" for property at 526 Upper Paradise Road, Hamilton, Ontario.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Planning and Development Committee, the Finance and Administration Committee, and the Grants Committee be now considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE – REPORT 06-00
--

Section 3 Re: Demolition of 21 St. Olga Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: Alderman D'Amico. -1.

CARRIED.

Section 4 Re: Demolition of 23 St. Olga Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, O'Sullivan. -16.

NAYS: Alderman D'Amico. -1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 07-00

Section 5 Re: Sale of Surplus Property – 2418 Barton Street East

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Haining, Wilson, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –13.

NAYS: Aldermen Copps, Eisenberger. –2.

CARRIED.

GRANTS COMMITTEE - REPORT 01-00

Section 1 Re: 2000 City Grants Budget

It was moved by Alderman Eisenberger and seconded by Alderman Haining that Section 1 of Report 01-00 of the Grants Committee be referred back to the Committee of the Whole for consideration.

Recorded vote.

YEAS: Aldermen Kiss, Horwath, Haining, Copps, Wilson, Eisenberger, Collins, Charters. –8.

NAYS: Mayor Morrow, Aldermen Caplan, Corsini, Morelli, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –9.

LOST.

Section 1 Re: 2000 City Grants Budget

It was moved by Alderman Haining and seconded by Alderman Kiss that Section 1 of Report 01-00 of the Grants Committee be referred back. **LOST.**

Section 1 Re: 2000 City Grants Budget

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Corsini, Morelli, Jackson, D'Amico, O'Sullivan. -7.

NAYS: Aldermen Kiss, Horwath, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly. -10. **LOST.**

* * * * *

Section 1 Re: 2000 City Grants Budget

It was moved by Alderman Wilson and seconded by Alderman Anderson that the original report of staff presented to the Grants Committee at its meeting held March 28, 2000 be approved by City Council and added as Section 2 of Report 01-00 of the Grants Committee. **CARRIED.**

Recorded vote.

YEAS: Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly. D'Amico, O'Sullivan. -15.

NAYS: Mayor Morrow, Alderman Haining. -2. **CARRIED.**

RESOLUTION

Rule No. 9 Re: Members of Community Energy Sub-Committee to attend the District Energy Systems Conference.

It was moved by Alderman Copps and seconded by Alderman Haining that Rule No.9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow for the consideration of a motion to permit Members of the Community Energy Sub-Committee to attend the District Energy Systems Conference. **CARRIED.**

* * * * *

Re: Members of Community Energy Sub-Committee to attend the District Energy Systems Conference.

It was moved by Alderman Copps and seconded by Alderman Morelli that up to two (2) Members of the Community Energy Sub-Committee be authorized to attend the District Energy Systems Conference to be held in Toronto in April, 2000.

CARRIED.

<p>ACTING MAYOR FOR THE MONTH OF APRIL 2000</p>
--

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman T. Anderson be appointed Acting Mayor for the month of April, 2000. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Planning and Development Committee, the Finance and Administration Committee, the Grants Committee and resolutions, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

<p>Note: The meeting adjourned at 9:20 p.m.</p>

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**J. J. Schatz, Municipal Clerk
March 28, 2000
JJS/dg**



MINUTES

CITY OF HAMILTON COMMITTEE OF THE WHOLE\CITY COUNCIL

Thursday, March 30, 2000

11:55 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, R. Corsini, D. Haining,
B. Morelli, D. Wilson, G. Copps, C. Collins,
F. Eisenberger, T. Jackson, B. Charters, F. D'Amico.
D. O'Sullivan.

Regrets: Alderman A. Horwath - Civic Business
Alderman T. Anderson - Civic Business
Alderman B. Kelly - Civic Business

Mayor R. M. Morrow called the meeting to order.

Re: Waiving of Rule 3(d) - Notice for calling a special meeting of Council

It was moved by Alderman Caplan and seconded by Alderman Corsini that Rule No. 3 (d) of the City of Hamilton Procedural By-law respecting the requirement of notice for calling a special meeting be waived. **CARRIED.**

It was moved by Alderman Corsini and seconded by Alderman Caplan that Council move into Committee of the Whole to consider a resolution respecting the lease agreement for the Sheraton Hotel with Mayor Morrow in the chair. **CARRIED.**

RESOLUTION

Lease Agreement – Sheraton Hotel
Bill No. E-005

Re: Motion presented to City Council

- (a) That the City, as Landlord of the Sheraton Hotel, 116 King Street West, (pursuant to the Ground Lease dated 1983 May 3rd, as amended, the "Lease") grant consent to each of the transactions identified in clause (b) below which includes the City's consent to: the shares in GGS being transferred to Allied and from Allied to Starwood Canada Corp., ("Starwood").
- (b) That consent be granted to the following transactions in respect of the Lease of the Hotel, subject to the conditions of approval expressed in this resolution:
 - (i) Allied Corporate Holdings S.A. ("Allied") acquires all of the shares in GGS Hotel Holdings Canada Inc. ("GGS"); and,
 - (ii) 3682153 Canada Inc. acquires the leasehold mortgage of the Ground Lease from the Resolution & Collection Corporation (Japan), (which Corporation is the successor Chigin-Seiho Housing Loan Co. Ltd.); and,
 - (iii) 3682153 Canada Inc. discharges the leasehold mortgage; and
 - (iv) Allied transfers all its shares in GGS to Starwood Canada Corp, (GGS therefore remains the tenant of the City — only now as the wholly owned subsidiary of Starwood); and,
 - (v) upon the share transfer to Starwood referred to above, the City requires that Starwood shall enter into an Agreement with the City to guarantee that Starwood's new subsidiary GGS shall perform all lease obligations; and,
 - (vi) GGS grants a leasehold mortgage of the Hotel to the Toronto-Dominion Bank as security for a loan to Starwood in the amount of \$8,000,000.00 and that the City, the said bank and GGS execute and deliver the agreement required pursuant to section 16.01 of the Lease; and,
 - (vii) GGS, the City's tenant, amalgamates with its shareholder Starwood to form one company, known as Starwood, (as a result, Starwood,

itself, becomes the Hotel tenant of the City); Starwood shall, within three days of the amalgamation, give written notice of the amalgamation, including a notarial copy of the amalgamation documents to the Municipal Clerk and, within one month of such notice, enter into an agreement with the Lessor to assume the obligations of the Lease; such agreement to be registered on title by the lessee; and,

- (c) That the Mayor and Municipal Clerk be authorized to execute documents to implement the foregoing in a form satisfactory to Corporate Counsel, including the other documents referred to in this resolution and the following documents:
- (i) an Estoppel Certificate addressed to GGS and Starwood, regarding the Ground Lease and regarding such other agreements with the Hotel as the Corporate Counsel may determine, subject to the qualifications on matters remaining to be completed and/or fulfilled by GGS, to be prepared by the Corporation Counsel; and,
 - (ii) documents in a form satisfactory to Corporate Counsel, to release and discharge from title those Hotel related Agreements that have been completed and/or have ceased to apply to the Hotel, in the opinion of the City Manager; and,
 - (iii) that the City, in its discretion, consider entering into one comprehensive lease document which shall incorporate and re-state all of the tenant's lease obligations and lease terms in one document; (presently the lease obligations and terms are the subject of numerous amending agreements entered into by the City and the tenant over the past twenty years regarding the Hotel, some of which have been partially amended or discharged); and,
- (d) That the City agree to accept from GGS in respect of the City's contribution as lessor to the construction costs of the sub basement storage level of the Hotel, as additional rent payable under the Ground Lease, the following:
- the sum of \$365,000 to the City upon closing of the share transfers; and,
 - payments of increased additional rent over the next 25 years, as follows:
 - for the next 10 years, \$60,000. per year;
 - for the following 5 years, \$100,000. per year;
 - for the following 5 years, \$130,000. per year;
 - for the last 5 years of the 25 year repayment period, \$160,000. per year;

- each of the said annual payments of additional rent to be paid in quarterly installments at the end of each quarter; and,
 - interest would be payable at the rate provided for in section 3.09 of the Lease (which section shall be revised to refer to such other financial institution then acting as banker for the City) on any payment not received on the due date;
 - the said additional rent becomes immediately due and payable in full should: (1) the hotel not continue to be operated as a Sheraton or as a full service first class hotel, or (2) should the lease be in default, including default of payments or the Lease be terminated; such recovery to be in accordance with the default provisions of the Lease; and,
 - the said additional rent shall not be a matter for re-negotiation under sec. 3.11 of the Lease;
- (e) That the Ground Lease be further amended by an amendment agreement to be entered into by GGS with the City on or before the said sale of the shares, in a form satisfactory to Corporate Counsel:
- (i) to implement the said revised sub basement storage contribution re-payment provisions outlined in (d) above; and,
 - (ii) to have the City receive the covenant of the tenant,
 - (aa) that (without limiting other provisions of the Lease on this subject), the Hotel shall be operated as a first class full service hotel by the tenant under the Sheraton name as a Sheraton Hotel; subject to the existing provision of the Lease which permits the tenant to apply for the Lessor's approval to change from Sheraton to another name, such approval to not be unreasonably withheld;
 - (bb) that during the next four years, the tenant shall invest a minimum of three million dollars in capital improvements to the Hotel, with a minimum capital investment of \$750,000 in each of the next three years, ; and,
 - (iii) to replace ITT Industries Canada Limited with Starwood Canada Corporation as the "Hotelier" and to replace the "Hotel Agreement" attached to and forming part of the Hotel Management Amending Agreement dated 1989 April 15th, with the Agreement under which Starwood Canada Corporation retains and uses the Sheraton name, provided such Agreement is submitted and satisfactory to the City; and,

- (iv) to provide that, while Starwood is the tenant, section 22.09 of the Lease be deleted; and,
 - (v) that section 22.13 of the Ground Lease providing for limited recourse, be deleted and that the lease be amended to include additional remedial provisions as are customary in a commercial recourse lease, in a form satisfactory to the Corporate Counsel. and,
with the right of the assigning tenant to be released from the Ground lease as long as no default exists and the new approved tenant binds itself to the Lessor;
- (f) That the City's consent and approval of the said transactions is also subject to the following conditions of approval:
- (i) prior to each transaction, certified resolutions of the shareholders and directors regarding the said proposed transactions; other documents, including solicitor's opinions and third party consents as the Corporate Counsel and its legal advisers may also require; and,
 - (ii) registration on closing of the said share transfers of discharges of all documents on title in favour of 3682153 Canada Inc., Resolution and Collection Corporation and Chigin-Seiho Housing Loan Co. Ltd. and related security documents, such discharges to be in a form satisfactory to Corporate Counsel; and,
 - (iii) GGS shall pay the costs of the City's external legal counsel and financial consultant retained to advise the City on the proposed sales to Chip Reit, to CP Hotels/Delta and to Starwood Canada Corporation upon receipt of such accounts from the City, and in any event, on or before closing of the share transfer; and,
- (g) That these approvals listed above only be effective in respect of the said named parties and the said transactions and only during the period ending 2000 April 28, and,
- (h) That the transactions outlined in clause (b) (i) to (v) shall be carried out in successive transactions to be closed together; and,
- (i) That at the request of Allied, Council's prior approvals regarding the Hotel Lease adopted on February 11 as amended on February 29, 2000, be rescinded

- (j) That this resolution shall take effect and come into force upon its approval by the Transition Board and staff are hereby authorized to submit this resolution to the Board.

* * * * *

Re: Section (e) (ii) (aa)

It was moved by Alderman Eisenberger and seconded by Alderman Morelli that Section (e) (ii) (aa) of the resolution be amended to add the following after the word "operated" in the second line "and maintained at the existing current standard or higher as a full service first class hotel". **CARRIED.**

* * * * *

Re: Section (f) (iv)

It was moved by Alderman Charters and seconded by Alderman Wilson that the following section (f) (iv) be added:

- (iv) That Starwood be required to submit its Financial Statements to the General Manager, Finance in order that the General Manager, Finance may be satisfied that Starwood has sufficient capital, equity and income to perform the obligations of the hotel ground lease. **CARRIED.**

Motion as amended.

It was moved by Alderman Charters and seconded by Alderman Wilson

- (a) That the City, as Landlord of the Sheraton Hotel, 116 King Street West, (pursuant to the Ground Lease dated 1983 May 3rd, as amended, the "Lease") grant consent to each of the transactions identified in clause (b) below which includes the City's consent to: the shares in GGS being transferred to Allied and from Allied to Starwood Canada Corp., ("Starwood").
- (b) That consent be granted to the following transactions in respect of the Lease of the Hotel, subject to the conditions of approval expressed in this resolution:
- (i) Allied Corporate Holdings S.A. ("Allied") acquires all of the shares in GGS Hotel Holdings Canada Inc. ("GGS"); and,

- (ii) 3682153 Canada Inc. acquires the leasehold mortgage of the Ground Lease from the Resolution & Collection Corporation (Japan), (which Corporation is the successor Chigin-Seiho Housing Loan Co. Ltd.); and,
 - (iii) 3682153 Canada Inc. discharges the leasehold mortgage; and
 - (iv) Allied transfers all its shares in GGS to Starwood Canada Corp, (GGS therefore remains the tenant of the City — only now as the wholly owned subsidiary of Starwood); and,
 - (v) upon the share transfer to Starwood referred to above, the City requires that Starwood shall enter into an Agreement with the City to guarantee that Starwood's new subsidiary GGS shall perform all lease obligations; and,
 - (vi) GGS grants a leasehold mortgage of the Hotel to the Toronto-Dominion Bank as security for a loan to Starwood in the amount of \$8,000,000.00 and that the City, the said bank and GGS execute and deliver the agreement required pursuant to section 16.01 of the Lease; and,
 - (vii) GGS, the City's tenant, amalgamates with its shareholder Starwood to form one company, known as Starwood, (as a result, Starwood, itself, becomes the Hotel tenant of the City); Starwood shall, within three days of the amalgamation, give written notice of the amalgamation, including a notarial copy of the amalgamation documents to the Municipal Clerk and, within one month of such notice, enter into an agreement with the Lessor to assume the obligations of the Lease; such agreement to be registered on title by the lessee; and,
- (c) That the Mayor and Municipal Clerk be authorized to execute documents to implement the foregoing in a form satisfactory to Corporate Counsel, including the other documents referred to in this resolution and the following documents:
- (i) an Estoppel Certificate addressed to GGS and Starwood, regarding the Ground Lease and regarding such other agreements with the Hotel as the Corporate Counsel may determine, subject to the qualifications on matters remaining to be completed and/or fulfilled by GGS, to be prepared by the Corporation Counsel; and,
 - (ii) documents in a form satisfactory to Corporate Counsel, to release and discharge from title those Hotel related Agreements that have

been completed and/or have ceased to apply to the Hotel, in the opinion of the City Manager; and,

- (iii) that the City, in its discretion, consider entering into one comprehensive lease document which shall incorporate and re-state all of the tenant's lease obligations and lease terms in one document; (presently the lease obligations and terms are the subject of numerous amending agreements entered into by the City and the tenant over the past twenty years regarding the Hotel, some of which have been partially amended or discharged); and,
- (d) That the City agree to accept from GGS in respect of the City's contribution as lessor to the construction costs of the sub basement storage level of the Hotel, as additional rent payable under the Ground Lease, the following:
 - the sum of \$365,000 to the City upon closing of the share transfers; and,
 - payments of increased additional rent over the next 25 years, as follows:
 - for the next 10 years, \$60,000. per year;
 - for the following 5 years, \$100,000. per year;
 - for the following 5 years, \$130,000. per year;
 - for the last 5 years of the 25 year repayment period, \$160,000. per year;
 - each of the said annual payments of additional rent to be paid in quarterly installments at the end of each quarter; and,
 - interest would be payable at the rate provided for in section 3.09 of the Lease (which section shall be revised to refer to such other financial institution then acting as banker for the City) on any payment not received on the due date;
 - the said additional rent becomes immediately due and payable in full should: (1) the hotel not continue to be operated as a Sheraton or as a full service first class hotel, or (2) should the lease be in default, including default of payments or the Lease be terminated; such recovery to be in accordance with the default provisions of the Lease; and,
 - the said additional rent shall not be a matter for re-negotiation under sec. 3.11 of the Lease;
- (e) That the Ground Lease be further amended by an amendment agreement to be entered into by GGS with the City on or before the said sale of the shares, in a form satisfactory to Corporate Counsel:

- (i) to implement the said revised sub basement storage contribution re-payment provisions outlined in (d) above; and,
- (ii) to have the City receive the covenant of the tenant,
 - (aa) that (without limiting other provisions of the Lease on this subject), the Hotel shall be operated and maintained at the existing current standard or higher as a first class full service hotel by the tenant under the Sheraton name as a Sheraton Hotel; subject to the existing provision of the Lease which permits the tenant to apply for the Lessor's approval to change from Sheraton to another name, such approval to not be unreasonably withheld;
 - (bb) that during the next four years, the tenant shall invest a minimum of three million dollars in capital improvements to the Hotel, with a minimum capital investment of \$750,000 in each of the next three years; and,
- (iii) to replace ITT Industries Canada Limited with Starwood Canada Corporation as the "Hotelier" and to replace the "Hotel Agreement" attached to and forming part of the Hotel Management Amending Agreement dated 1989 April 15th, with the Agreement under which Starwood Canada Corporation retains and uses the Sheraton name, provided such Agreement is submitted and satisfactory to the City; and,
- (iv) to provide that, while Starwood is the tenant, section 22.09 of the Lease be deleted; and,
- (v) that section 22.13 of the Ground Lease providing for limited recourse, be deleted and that the lease be amended to include additional remedial provisions as are customary in a commercial recourse lease, in a form satisfactory to the Corporate Counsel. and,
with the right of the assigning tenant to be released from the Ground lease as long as no default exists and the new approved tenant binds itself to the Lessor;
- (f) That the City's consent and approval of the said transactions is also subject to the following conditions of approval:
 - (i) prior to each transaction, certified resolutions of the shareholders and directors regarding the said proposed transactions; other documents including solicitor's opinions and third party consents

as the Corporate Counsel and its legal advisers may also require;
and,

- (ii) registration on closing of the said share transfers of discharges of all documents on title in favour of 3682153 Canada Inc., Resolution and Collection Corporation and Chigin-Seiho Housing Loan Co. Ltd. and related security documents, such discharges to be in a form satisfactory to Corporate Counsel; and,
 - (iii) GGS shall pay the costs of the City's external legal counsel and financial consultant retained to advise the City on the proposed sales to Chip Reit, to CP Hotels/Delta and to Starwood Canada Corporation upon receipt of such accounts from the City, and in any event, on or before closing of the share transfer; and,
 - (iv) That Starwood be required to submit its Financial Statements to the General Manager, Finance in order that the General Manager, Finance may be satisfied that Starwood has sufficient capital, equity and income to perform the obligations of the hotel ground lease.
- (g) That these approvals listed above only be effective in respect of the said named parties and the said transactions and only during the period ending 2000 April 28, and,
- (h) That the transactions outlined in clause (b) (i) to (v) shall be carried out in successive transactions to be closed together; and,
- (i) That at the request of Allied, Council's prior approvals regarding the Hotel Lease adopted on February 11 as amended on February 29, 2000, be rescinded
- (j) That this resolution shall take effect and come into force upon its approval by the Transition Board and staff are hereby authorized to submit this resolution to the Board.

* * * * *

Re: Adoption of Bill E-005

It was moved by Alderman Corsini and seconded by Alderman Caplan that the following Bill be adopted, signed, sealed and enrolled as a By-law:

Bill E-005: Confirming By-law

E-005 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

Hamilton City Council then adjourned at 12:20 p.m.

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**Kevin C. Christenson,
Acting Municipal Clerk
March 30, 2000**

CORRESPONDENCE

Correspondence

1. Application dated March 31, 2000 from Locane Holdings Inc., 550 Fennell Avenue East, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District, modified for 12-14 Brantdale Avenue, Hamilton.

Recommendation: Be Received.

2. Application dated April 4, 2000 from M.C.G.W. Properties Corp., 130 Dearborn Place, Waterloo for a modification to the "HH" (Restricted Community Shopping and Commercial etc.) District for 544 Limeridge Road East, Hamilton, Ontario.

Recommendation: Be Received.

TRANSPORT AND ENVIRONMENT COMMITTEE



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, April 3, 2000
9:30 a.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Aldermen M. Kiss, A. Horwath, B. Morelli, T. Anderson, F. D'Amico

Regrets: Mayor R. M. Morrow – City Business
Alderman T. Jackson – Personal Business

Also Present: Alderman M. Caplan
C. Guthro, M. Hazell, T. Gill, K. Extance, B. Price, C. Biggs

Alderman C. Collins, Chairperson, called the meeting to order.

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 06-00 AND RESPECTFULLY RECOMMENDS:

1. **Routine Amendments to City of Hamilton Traffic By-law 89-72 – Transport and Environment Committee Meeting – April 3, 2000 (PWT00076) (Item 4.1)**

That the requests for routine amendments, attached hereto as Appendix "A", be approved, and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

2. **Bayfront and Mohawk Bus Routes - Bus Stop Relocation (PWT00068)**
(Item 4.2)

- (a) That the following Hamilton Street Railway bus stop be relocated:

Routes #4 Bayfront and #41 Mohawk

Delete	Eastbound	Beach Road, south side, 23 feet west of Albermarle Street (N/S); and
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Add	Eastbound	Beach Road, south side, 46 feet east of Albermarle Street (F/S)
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- (b) That the City Traffic By-law 89-72 be amended accordingly.

3. **Mohawk Bus Route - Bus Stop Relocation (PWT00070) (Item 4.3)**

- (a) That the following Hamilton Street Railway bus stop be relocated:

Routes #41 Mohawk

Delete -	Eastbound	Beach Road, south side, 26 feet west of Woodleigh Avenue (N/S); and
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Add -	Eastbound	Beach Road, south side, 72 feet east of Woodleigh Avenue (F/S);
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- (b) That the City Traffic By-law 89-72 be amended accordingly.

4. **Bayfront and Parkdale Bus Routes - Bus Stop Removal and Relocation (PWT00074) (Item 4.4)**

- (a) That the following Hamilton Street Railway bus stops be removed and relocated:

Routes #4 Bayfront and 11 Parkdale

Delete	Westbound	Brampton Street, north side, 167 feet west of Woodward Avenue (F/S); and
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Delete	Northbound	Dunn Avenue, east side, 33 feet south of Mead Avenue (N/S); and
Delete	Northbound	Dunn Avenue, east side, 23 feet south of Glow Avenue (N/S); and
Delete	Westbound	Glow Avenue, north side, 20 feet east of Dunn Avenue (N/S); and
Add	Westbound	Glow Avenue, north side, 252 feet west of Woodward Avenue (M/B)

(b) That the City Traffic By-law 89-72 be amended accordingly.

5. Intersection of Lake Avenue and South Service Road (TOE00005) (Item 4.5)

That a traffic signal be installed at the intersection of Lake Avenue and South Service Road, and the works be charged to the Traffic Signal Modernization and Installation Account.

6. To Incorporate Certain City Land into Various Streets by By-laws (TOE00006) (Item 4.6)

(a) That the following City land be incorporated into the following streets:

Chesley Street	Part 3, save and except Part 2	62R-13389 62R-14168
Jacqueline Boulevard	Block 30	62M-866
Magenta Court	Block 29	62M-866
Roland Road	Block BX	62M-131
Claudette Gate	Block CX	62M-131

(b) That the by-laws to carry out the incorporation of the said land into the foregoing streets be prepared to the satisfaction of the Corporate Counsel and be enacted by Council;

- (c) That the General Manager of Transportation, Operations and Environment be authorized and directed to register the by-laws.

7. Hamilton Bio-Conversion Inc., 2380 Brampton Street – Application to Amend Certificate of Approval No. A650025 for a Waste Disposal Site (Processing) (PDC99072a) (Item 3)

- (a) That the West Central Branch and the Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment be advised that the City of Hamilton has no comments on the proposed amendment to Certificate of Approval No. A650025 for the facility known as Hamilton Bio-Conversion Inc. located at 2380 Brampton Street, as shown on the map attached hereto as Appendix “B”; and,
- (b) That Hamilton Bio-Conversion be requested to continue to undertake stack emissions testing on an on-going basis, and that the results of such testing be made available to the Committee upon request; and,
- (c) That a copy of this report be forwarded to the West Central Branch and the Environmental Assessment and Approvals Branch of the Ministry of Environment for their consideration; and,
- (d) That the West Central Branch and the Environmental Assessment and Approvals Branch of the Ontario Ministry of Environment be requested to forward a copy of the decision respecting the proposed Amendment to the Certificate of Approval for Hamilton Bio-Conversion to the Municipal Clerk, City of Hamilton.

8. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-019 A By-law to incorporate city land designated as Part of Block 30 on Plan 62M-710, being Part 3 on Plan 62R-13389, save and except Part 2 on Plan 62R-14168, into Chesley Street
- (b) A-020 A By-law to incorporate City land designated as Block 30 on Plan 62M-866, into Jacqueline Boulevard
- (c) A-021 A By-law to incorporate City land designated as Block 29 on Plan 62M-866, into Magenta Court

- (d) A-022 A By-law to incorporate City land designated as Block "BX" on Plan 62M-131, into Roland Road
- (e) A-023 A By-law to incorporate City land designated as Block "CX" on Plan 62M-131, into Claudette Gate
- (f) A-024 A By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (g) A-025 A By-law to amend Traffic By-law 89-72 to Regulate Traffic

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest** (Item 1)

None declared.

(b) **Adoption of Minutes - March 6, 2000** (Item 2)

That the Minutes of the meeting of the Transport and Environment Committee held on March 6, 2000, be adopted.

(c) **Request from Mr. K. Gonnsen, P.Eng., Metropolitan Consulting, to address the Committee respecting Hamilton Bio-Conversion Inc.** (Item 3)

Mr. K. Gonnsen of Metropolitan Consulting, on behalf of Hamilton Bio-Conversion, updated the Committee on actions taken by the company in terms of community consultation and modifications to the process to address the concerns of the neighbourhood residents.

(d) **Information Items** (Item 4.7)

That the following items be received:

- (i) Hess Street Roadway Repairs (TOE00004/RDS00029)
- (ii) Pesticide Use in City Parks (PWT00035a)

Note: The meeting of the Transport and Environment Committee adjourned at 9:45 a.m.

**Alderman C. Collins, Chairman
Transport and Environment Committee**

**Carolyn Biggs, Legislative Assistant
April 3, 2000**

Appendix "A" as referred to in Section 1
of Report 06-00 of the Transport and
Environment Committee

Ward 1

- (a) Judy Robertson, 23 Strathcona Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the east side of Strathcona in front of her residence, since she is disabled. There is off-street parking at 23 Strathcona Avenue, however, it is reserved for the landlord who also resides there. Staff, therefore, concurs with Ms. Robertson's request.
- (b) Alex Alexander, 29 Strathcona Avenue, has requested that the existing reserved "Permit Parking" regulation on the east side of Strathcona in front of his home be removed as he no longer drives.
- (c) Mark Skuse, 31 Miles Court, has requested that northbound stop control be implemented at the "T" type intersection of Miles and South.

Ward 2

- (a) Alderman Ron Corsini has advised that the full-time "No Parking" regulation on the north side of Ferrie, east of Mary, is no longer required. The subject regulation was implemented for the benefit of Norris Transport Ltd., to accommodate truck access and egress to their property at 120 Ferrie Street. However, since Norris Transport has vacated the property, staff recommends that the subject "No Parking" regulation be removed.
- (b) City Council recently approved a request from Path Employment Services to relocate the full-time "Wheelchair Loading Zone" regulation from the east side of Ferguson, north of King William, to a new location adjacent to 140 King Street East. However, staff has been advised that the "Wheelchair Loading Zone" regulation is still required on the east side of Ferguson by other tenants in the building and therefore recommends that the regulation be reinstated.
- (c) Gail Redbourne, Associates in Hair, 242 Jackson Street East, has requested that the existing "One Hour Parking Time Limit, 8:00 am to 6:00 pm, Monday to Friday" regulation on the north side of Jackson between Spring and Wellington be changed to a "Three Hour Parking Time Limit, 8:00 am to 6:00 pm, Monday to Friday" regulation.

- (d) Steve Rudaniecki, 183 Caroline Street North, has requested that the existing reserved "Permit Parking" regulation on the west side of Caroline in front of his home be removed as his mother has passed away.
- (e) Reverend Larry Cowper from the Central Presbyterian Church, 165 Charlton Avenue West, has requested that a "15 Minute Parking Time Limit, 8:00 am to 6:00 pm, Sundays Only" regulation be implemented on the west side of Caroline, adjacent to the church, commencing 113 feet south of Charlton and extending 38 feet southerly therefrom.
- (f) Staff has received a petition signed by 10 of the 16 homes abutting MacNab between Simcoe and Ferrie requesting that a full-time "One Hour Parking Time Limit" regulation be implemented on the east side of MacNab in this block. Staff has contacted one additional resident. Ten of the residents are in favour of the requested regulation and one is opposed.
- (g) Juliana Duféal, 141 Elgin Street, has requested the implementation of a reserved "Permit Parking" regulation on the west side of Elgin directly in front of her home since she is disabled.

Ward 3

- (a) Alderman Bernie Morelli has forwarded a petition signed by representatives of 11 of the 18 homes abutting Munroe between Niagara and Hillyard requesting that the existing full-time "One Hour Parking Time Limit" regulation be removed from the north side of the street in this block. All 11 of the residents that signed the petition are in favour of removing the regulation to allow unrestricted parking. Staff has contacted one additional resident and has been advised that they have no opinion in regard to the request.
- (b) Ray Lachapelle, owner of Food Town Grocery Store, 653 Barton Street East, has requested that the four existing parking meters on the east side of Earl adjacent to his business be replaced with a "Commercial Vehicle Loading Zone, 8:00 am to 8:00 pm, Monday to Saturday" regulation to facilitate loading and unloading by transport trucks. There is an existing off-street parking area at the rear of this business for customer parking, therefore, staff concurs with the request.

Ward 4

- (a) Colleen Sadonoja, 347 Fairfield Avenue, has requested that a "Wheelchair Loading Zone, 9:00 am to 5:00 pm, Monday to Friday" regulation be implemented on the west side of Fairfield, directly in front of her home, since her grandmother requires the use of DARTS vehicles.
- (b) Staff has received a petition signed by representatives from all four of the homes abutting Normandy between Rodgers and Auburn requesting that an "Alternate Side Parking" regulation be reinstated in this block. City Council recently approved the abutting resident's request to replace the "Alternate Side Parking" regulation with a full-time "No Parking" regulation on the north side and a "One Hour Parking Time Limit, 8:00 am to 6:00 pm, Monday to Friday" regulation on the south side of the street. The signs were changed shortly thereafter. The residents wish to maintain the parking time limit restriction. Staff has no serious objections with this request.
- (c) Principal Forbeck and a representative of the Parent Council for W.H. Ballard School have requested that the existing "No Parking" regulation on the east side of Tragina and the west side of Weir, north of Dunsmure and adjacent to W.H. Ballard School, be changed to a "No Stopping" regulation to prohibit parents from stopping in this area.

Ward 5

- (a) Alderman Fred Eisenberger has advised of requests from Dominic Chrini, Manager of Wentworth Condominium Corporation #24 and area residents, that the recently implemented full-time "Two Hour Parking Time Limit" regulation on the east and south sides of Jerome, be shortened to allow unrestricted parking on the south side of Jerome adjacent to the townhouse properties. The original petition requesting the implementation of the regulation was signed by residents abutting the east side of Jerome only. Therefore, staff does not have any objections to allowing unrestricted parking on the south side of Jerome.
- (b) Alderman Fred Eisenberger has advised of a request from Mrs. Millar, 208 Charlotte Street, that the existing eastbound and westbound yield signs on Dundonald at Charlotte be changed to stop signs.

- (c) Aldermen Fred Eisenberger and Chad Collins have advised of a request for the implementation of a "No Parking" regulation on the east and south sides of the 90 degree bend of Violet. Residents at a public meeting at the Riverdale Recreation Centre expressed concern that vehicles parked in this area obstruct the two-way traffic flow on the 90 degree bend.

Ward 6

- (a) Staff has received a request from Michael McDougall, 30 Kenwood Crescent, for eastbound stop control at the "T" type intersection of Kenwood and Kingslea.

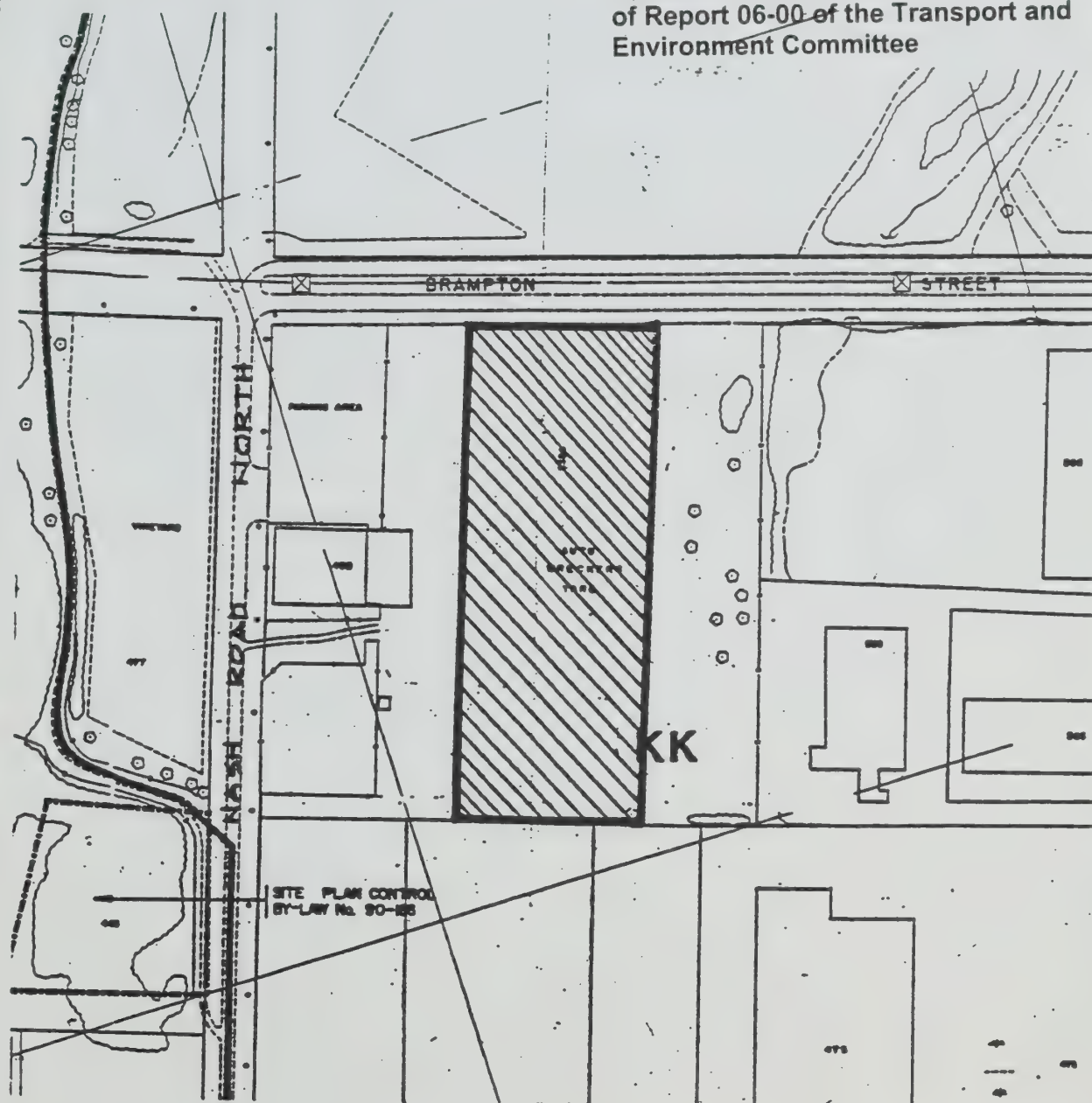
Ward 7

- (a) Alderman Bill Kelly has advised of a request from an area resident for all-way stop control at the intersection of Enola and Presidio. The intersection meets the criteria for all-way stop control due to its proximity to Eleanor Park.
- (b) Bernice Speck, 54 East 24th Street, has requested the implementation of a reserved "Permit Parking" regulation on the west side of East 24th directly in front of her home since she is disabled.
- (c) Sergio Geiss, 83 Parkplaza Drive, has requested that the existing full-time "Wheelchair Loading Zone" regulation on the north side of Parkplaza in front of his home be removed as his son has moved.

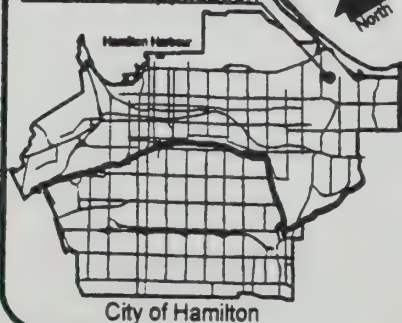
Ward 8

- (a) Brenda Mohoruk, Principal of Halbrook School, 450 Sanatorium Road, has requested all-way stop control at the intersection of Sanatorium and West 33rd. This intersection is in close proximity to the school and therefore, staff concurs with the request.
- (b) Shelly Cameron, 27 Adele Court, has requested that westbound stop control be implemented at the "T" type intersection of Adele and Claudette.
- (c) Elizabeth Rolo, 262 West 15th Street, has requested that the existing "No Parking" corner clearance on the west side of West 15th, north of Mohawk, be shortened to allow one unrestricted parking space in front of her home.

Appendix "B" as referred to in Section 7
of Report 06-00 of the Transport and
Environment Committee



Site of the Application



City of Hamilton

COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



SUBJECT LANDS 2380 Brampton Street

Reference file:

ENV-MOECOA-99-03

Scale

Not to Scale

Date

Mar., 2000

Technician:

B. B.

APPENDIX 'A'

PARKS AND RECREATION COMMITTEE

2. **Demolition of 17 1/2 Fairmont Avenue - Fernleigh Lawnbowling Clubhouse (CSC00041) (Item 4)**
 - (a) That City Council authorize the demolition of the property known municipally as 17 1/2 Fairmont Avenue, and formerly being the Fernleigh Lawnbowling Club, at an estimated cost of \$18,750. plus GST by Abbey Demolition, being the lowest of three bids, and to be charged to Account No. COHAM 54801-731210; and,
 - (b) That the Real Estate Division of the Corporate Services Division be authorized and directed to offer for sale the surplus lands to the abutting owners at market value and deposit said revenue to Account No. COHAM 54801-731210.
3. **Request to Sell Beer in Stands - Hamilton Tiger-Cats - Ivor Wynne Stadium (CSC00045) (Item 5)**
 - (a) That approval be granted to the Hamilton Tiger-Cats Football Club to sell beer only in the stands as an upgraded service for its premium seat holders on a one year trial basis, for the 2000 Canadian Football League season based on the following terms and conditions:
 - (i) that this request adhere to the terms and conditions of the Alcohol and Gaming Commission of Ontario, and that any changes required to the current liquor licence be applied for and approved prior to this initiative taking place at the sole cost of the Hamilton Tiger-Cats; and,
 - (ii) that all servers of beer in the stands be at least 19 years of age and have Smart Serve training; and,
 - (iii) that the current practice of a two (2) beer maximum per patron be applied for this service; and,
 - (iv) that the serving of beer be halted at the beginning of the fourth quarter; and,
 - (b) That Corporate Counsel be authorized and directed to amend the Licence Agreement as may be required to allow this activity; and,
 - (c) That the Director of Culture and Recreation be directed to report back to the Parks and Recreation Committee on the results of this trial period at the end of the CFL season.

4. Bennetto Recreation Centre - Renovation and Expansion Project - Construction Contract Award (CSC00051) (Item 6)

- (a) That the General Manager of Community Services be authorized to issue a Purchase Order to Lancing Construction Ltd. of Hamilton in the amount of \$2,003,045. plus applicable taxes to construct the addition and renovate the Bennetto Recreation Centre at 450 Hughson Street North as detailed in the Contract Documents issued on February 29, 2000, to be financed from the designated Capital Account No. COHAM 709955040; and,
- (b) at the additional work related to this project and the contingency amounts totalling \$275,500. be funded from the following accounts: COHAM 709754029 (Outdoor and Landscape Upgrades C&R Facilities); COHAM 329441016 (Barrier Free Recreation Centres); and, current account COHAM 715100 54915 (Bennetto Recreation Centre – General maintenance and repairs); and,
- (c) That a contract satisfactory to Corporate Counsel be entered into between the City and the Contractor; and,
- (d) That the Mayor and the Acting Municipal Clerk be authorized to execute the contract on behalf of the City; and,
- (e) That the Acting Director of Public Works and Traffic be authorized to remove nine trees located in the area of expansion, and to undertake the planting of nine replacement trees in accordance with City By-law No. 92-155 "Respecting Trees".

5. Hamilton Civic Golf Courses Request for Proposal - Golf Course Tee Signage (CSC00046) (Item 7.1)

- (a) That the Director of Culture and Recreation be authorized to enter into contract with Upscale Golf, John Rayner, the successful proponent in response to a Request for Proposal call by the City of Hamilton for the supply of golf course tee signage for the Chedoke and King's Forest Golf Courses, for a term commencing April 1, 2000 and completing April 1, 2005, at which time, all signs, material and advertising revert to the City as owner; and,

- (b) That, in accordance with the City of Hamilton Act, 1999 and associated regulations and guidelines, that this recommendation be forwarded to the Transition Board for approval as the proposed contract extends beyond December 31, 2000; and,
- (c) That Corporate Counsel be authorized and directed to draft and have executed the necessary contract.

6. Authorization to Advertise Externally for Candidate to fill the Position of Historical Interpreter - Hamilton Military Museum (CSC00039) (Item 7.2)

That the General Manager, Community Services Division, be authorized to advertise externally in order to ensure the best possible list of qualified candidates to fill the temporary replacement position of Historical Interpreter for the Hamilton Military Museum.

7. Invitation from the Province of Ontario to Host Future Ontario Games (CSC00048) (Item 7.3)

That His Worship, Mayor Robert M. Morrow, be requested to write to the Minister of Citizenship, Culture and Recreation, the Honourable Helen Johns, to indicate that the City of Hamilton will not be submitting bids to host any of the 2002 and 2004 Ontario Winter and Ontario Summer Games.

8. Royal Bank Aquafest - Approval to Sell Alcoholic Beverages, Park Vehicles and hold Carnival Rides in Bayfront Park (CSC00043) (Item 7.4)

- (a) That approval, as required by Sections 11 and 29 of Parks By-Law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the Region of Hamilton-Wentworth to sell alcoholic beverages, park vehicles, boat race and hold carnival rides at the Royal Bank Aquafest event in Bayfront Park, from July 13-16, 2000 inclusive; and,
- (b) That the licenced areas at the Royal Bank Aquafest event operate during the following hours:

Thursday	July 13	4:00 p.m. -11:00 p.m.
Friday	July 14	12:00 noon -11:00 p.m.
Saturday	July 15	12:00 noon - 11:00 p.m.
Sunday	July 16	12:00 noon - 11:00 p.m.; and,

- c) That an entrance fee of \$10. per day, purchased on site only or a full weekend pre-purchased pass of \$5. (for unlimited entrance) be permitted to be charged of participants to enter the enclosed festival grounds of Bayfront Park over the duration of the Royal Bank Aquafest event; and,
- (d) That a parking fee of \$5. be permitted to be charged to park vehicles in Bayfront Park during the Royal Bank Aquafest event.

9. Fireworks Displays in Parks - Approval as required by Parks By-law 95-126 and Fireworks By-law 90-198 (CSC00042), (item 7.5)

That approval, as required by Sections 17 (21) and Section 26 of the Fireworks By-law No. 90-198 and Section 5 of the Parks By-law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to the following organizations to hold a Fireworks Display on City Properties on the dates and locations specified below:

- (a) Kirkendall Recreation Association, Highland Gardens Park
May 22, 2000 (raindate May 23, 2000)
- (b) City of Hamilton, General Manager, Community Services Division
July 1, 2000, Bayfront Park, Hamilton Harbour

10. Taste of Hamilton - Sale of Alcoholic Beverages in Bayfront Park - Amendment (CSC00047) (Item 7.6)

That Section 4 of Report 05-00 of the Parks and Recreation Committee respecting the sale of alcoholic beverages, the parking of vehicles and the operation of amusement rides at Bayfront Park for the Taste of Hamilton event from June 22-25, 2000, as adopted by City Council on March 14, 2000, be amended as follows:

- (a) Subsection (a) to delete the words "Yellowhead Kemp Association" and insert in lieu thereof the words "The Endometriosis Association of Ontario"; and,
- (b) Subsection (b) by changing the hours of operation for the licensed tent area on Saturday, June 24, 2000 from 12:00 noon - 10:00 p.m. to 11:00 noon - 11:00 p.m. and by adding the hours of 12:00 noon - 10:00 p.m. on Sunday, June 25, 2000.

11. St. Demetrios Greek Orthodox Community - OPA Festival with Amusement Rides in Victoria Park - July 28-31, 2000 (CSC00049) (Item 7.7)

That approval, as required by Parks By-law No. 95-126, as amended, and under the Standard Terms and Conditions of the Special Events Guidelines be given to St. Demetrios Greek Orthodox Community to hold carnival rides at the annual OPA Festival in Victoria Park from July 28-31, 2000.

12. Heritage Challenge Fund Grant Application - Dundurn National Historic Site (CSC00035) (Item 7.8)

That authorization be given to the General Manager of Community Services to submit a grant application requesting an amount of up to \$200,000. from the Provincial Heritage Challenge Fund for the restoration of the nationally designated picturesque landscape at Dundurn.

13. Crystal Palace Grounds - Commemorative Plaque (CSC00036) (Item 7.9)

- (a) That approval be given for the Crystal Palace Grounds to be the subject of a 2000 Commemorative Plaque; and,
- (b) That the Plaque be erected in a suitable location in Victoria Park at a future date.

14. Scott Park Minor Hockey Association - Status of Affiliation (CSC00054) (Item 9)

- (a) That Council confirm the suspension of the Scott Park Minor Hockey Association for being in non-compliance with the City of Hamilton Affiliation Policy; and,
- (b) That the Director of Culture and Recreation be instructed to hold a public meeting in the Scott Park Community, in conjunction with the Hamilton Minor Hockey Council, to consider alternatives to ensure the continuation of a minor hockey program in this community; and,
- (c) That the Executive of the Scott Park Minor Hockey Association be requested to forward its 1999 mailing list to assist the City in contacting interested parties for this meeting; and,

- (d) That the Director of Culture and Recreation be directed to report back in sixty days with an implementation plan to ensure the continuation of minor hockey in the Scott Park community.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest** (Item 1)

None declared.

- (b) **Adoption of Minutes** - March 6, 2000 (Item 2)

That the Minutes of the Parks and Recreation Committee for its meeting held March 6, 2000 be adopted as circulated.

- (c) **Presentations/Delegations** (Item 3)

- (i) **Proposals for Chedoke Golf Course - Jake Blake, President, Chedoke Golf Course - Men's Section** (Item 3.4)

On motion, the Committee agreed to change the order the Agenda so that this delegation could be heard first.

Jake Blake, President, Chedoke Golf Course - Men's Section, appeared before the Committee and reviewed issues of concern respecting the 7-day advance tee time reservations, the 50/50 ratio allocation of green fees, the out of town surcharge, increased fees and the need for meetings of the Golf Advisory Committee, as outlined in his March 29, 2000 letter to the Committee.

The Committee approved the following:

That the report of Jake Blake, President, Chedoke Golf Course - Men's Section, be received and that Culture and Recreation Department Staff be requested to prepare a full report for the next meeting, addressing the concerns raised in Mr. Blake's letter of March 29, 2000.

(ii) **Zone 6B Millennium Project - Art in the Environment - Site Selection - Ivan Jurakic, Project Co-Ordinator (Item 3.1)**

Ivan Jurakic, Project Co-Ordinator, appeared before the Committee to provide an overview of the Zone 6B Millennium Project.

The following motion was introduced and subsequently referred to Culture and Recreation Department Staff for a full report back to the Committee, inclusive of all financial implications and in-kind financial assistance for this project:

- (a) That City Council authorize the installation of up to ten temporary public art installations on City property for the Zone 6B: Art in the Environment Project, providing that the selected sites have been reviewed with appropriate Staff; and,
- (b) That the General Manager, Community Services, Acting Director of Public Works and Traffic and the General Manager, Transportation, Operations and Environment, approve the final site selections; and,
- (c) That the costs for installation and maintenance and dismantling be the responsibility of the Zone 6B Project; and,
- (d) That once final plans and site locations have been determined, an Information Report be forwarded to the Parks and Recreation Committee.

(iii) **Project by the Art Gallery of Hamilton - Temporary Installation of Plaques on City-owned lands - Shirley Madill, Senior Curator, Art Gallery of Hamilton (Item 3.2)**

Shirley Madill, Senior Curator, Art Gallery of Hamilton, appeared before the Committee to provide an overview of the Art Gallery of Hamilton's Hidden Histories and Invisible Stories Project.

The following motion was introduced:

- (a) That City Council authorize the installation by the Art Gallery of Hamilton of up to six steel markers on City-owned property for the "Hidden Historic and Invisible Stories" Project providing that the selected sites be reviewed with appropriate Staff; and,

- (b) That the General Manager, Community Services, Acting Director of Public Works and Traffic, the General Manager, Transportation, Operations and Environment and the Ward Aldermer approve the final site selections; and,
- (c) That costs for installation and maintenance and dismantling be the responsibility of the Art Gallery of Hamilton; and,
- (d) That once final plans and site locations have been determined, an Information Report be forwarded to the Parks and Recreation Committee.

A subsequent motion was made as follows:

That the above-noted recommendation be referred to Culture and Recreation Department Staff for a full report back to the Committee.

Referral motion lost on a tie vote.

The Committee then voted on the main motion as indicated above.

Main motion lost on a tie vote.

The Committee subsequently approved the following:

That Culture and Recreation Department Staff be directed to prepare a revised report on this matter to be introduced as part of the Parks and Recreation Committee's Report at the April 11, 2000 meeting of City Council.

(iv) **Gender Equity Policy - Access and Allocation of Ice Time (Item 3.3)**

Ken Duncliffe, Director of Culture and Recreation, made a presentation on the issue of Gender Equity Ice Allocation as it relates to equitable access for girls to play hockey in Hamilton, equity relative to ice allocation for the Hamilton Minor Girls Hockey Association (HMGHA) and in response to complaints from the HMGHA relative to the quality of allocated ice.

Participation number for girls playing hockey in Hamilton through the Minor Program and the Girls Program were presented, as well as the player development ratios based on the Canadian Hockey Association's recommended standards for the number of hours per week that players should participate to maximize the best results for player development. It was noted that the Hamilton Minor Girls Hockey Association has a much lower percentage of its ice allocation at its home arena.

The Committee was advised that the Hamilton Minor Hockey Council reviews the ice allocation, but that the Hamilton Minor Girls Hockey Association falls outside the Hockey Council.

Sue Gibson, Hamilton Minor Girls Hockey Association was in attendance and expressed her concerns that there is no consistency on the ice surfaces allocated to their Association and didn't feel that 10:00 p.m. practice times were acceptable.

Peter Martin, President of the Hamilton Minor Hockey Council, was also in attendance and commented on the need for more ice time in the City of Hamilton and advised the Committee that the lack of ice time has resulted in a moratorium on tournaments and the fact that Hamilton couldn't host provincial or national championships because core programs have been deemed a priority for available ice time.

The Committee was advised by the General Manager, Community Services Division, that an Environmental Assessment is being undertaken in the area of the new four pad arena, but was hopeful that the new site would be operational by September, 2001, to meet the short term needs for more ice time in the City.

Alderman Kiss was recorded as opposed to subsection (a) of the recommendation.

Aldermen Copps and Kiss were recorded as opposed to subsection (c) of the recommendation.

(d) Request to Sell Beer in Stands - Hamilton Tiger-Cats - Ivor Wynne Stadium (CSC00045) (Item 5)

A copy of a letter dated April 2, 2000 from Peter Vincent, Proprietor, Carrera's Sportsdome and Café, was received in support of the selling of beer at Ivor Wynne Stadium.

Aldermen Copps, Jackson and Anderson were recorded as opposed.

(e) Bennetto Recreation Centre - Renovation and Expansion Project - Construction Contract Award (CSC00051) (Item 6)

Some of the Account Numbers as contained in the report were amended.

- (f) **Royal Bank Aquafest - Approval to Sell Alcoholic Beverages, Park Vehicles and hold Carnival Rides in Bayfront Park (CSC00043) (Item 7.4)**

Alderman Jackson was recorded as opposed.

- (g) **Taste of Hamilton - Sale to Alcoholic Beverages in Bayfront Park - Amendment (CSC00047) (Item 7.6)**

Alderman Jackson was recorded as opposed.

- (h) **Information Items (Item 7.10)**

That the following items previously distributed to Members of Committee under separate cover, be received:

- (a) Executive Committee of the International Children's Games and Millennium Festival - Minutes of Meeting held February 21, 2000; and,
- (b) New Mum Show Sub-Committee - Minutes of Meeting held February 17, 2000

Note: Following Item 7 on the agenda, the Committee took a 15-minute recess, and reconvened immediately thereafter.

- (i) **Scott Park Minor Hockey Association - Status of Affiliation (CSC00054) (Item 9)**

Mike Rubert, Executive Director, Scott Park Minor Hockey Association, appeared before the Committee and read a letter dated March 31, 2000 from Fred Gowling, President, Scott Park Minor Hockey Association indicating that the Association has applied to and been accepted by the Ontario Minor Hockey Association (O.M.H.A.) and would therefore qualify for Canadian Hockey Association (C.H.A.) insurance.

Peter Martin, President, Hamilton Minor Hockey Council, was also in attendance and spoke on the role of the Hamilton Minor Hockey Council and encouraged the Committee to support the current structure for Minor Hockey in Hamilton and not allow the structure to become fragmented.

The following items were also distributed to Members of the Committee:

- (a) Letter dated March 31, 2000 from Fred Gowling, President, Scott Park Minor Hockey Association, respecting insurance requirements; and,
- (b) An Information Report (CSC00054) from the General Manager, Community Services Division, dated March 31, 2000 respecting the status of affiliation by the Scott Park Minor Hockey Association; and,
- (c) A flowchart showing the structure of Minor Hockey in Canada; and,
- (d) A letter from the Lawfield Minor Hockey Association Incorporated Executive Committee supporting solidarity within the Hamilton hockey community.

When asked why the Scott Park Minor Hockey Association has failed to comply with the required insurance provisions under the City's Affiliation Policy, Mr. Gowling indicated that he has never been told the specific type of insurance required and that the Association's existing insurance offers greater coverage. Mr. Gowling also indicated that the Association has provided the required insurance as requested.

Mr. Gowling was asked to provide a copy of the Association's 1999 mailing list to the City and he indicated that he would discuss this matter with his Board.

Graham Brown, Executive Director, Ontario Minor Hockey Association (OMHA), was also in attendance and advised the Committee that the OMHA has moved that the Scott Park Minor Hockey Association become a member of their Association and suggested that the matter be tabled so that the President of the OHF could answer any questions the Committee may have respecting insurance coverage.

In citing the March 30, 2000 letter from Allan Morris, President, Ontario Hockey Federation (Schedule 2 in Report CSC00054), the General Manager, Community Services Division, indicated that the Scott Park Minor Hockey Association is not in compliance with the insurance requirements.

Recorded Vote:

Yeas: Aldermen Corsini, Morelli, Eisenberger, Jackson, Anderson,
O'Sullivan - 6

Nays: Aldermen Kiss, Copps - 2

Carried.

Note: The meeting of the Parks and Recreation Committee adjourned at 8:02 p.m.

**Alderman B. Morelli, Chairperson
Parks and Recreation Committee**

**Charlene Touzel, Legislative Assistant
April 3, 2000**

**PLANNING & DEVELOPMENT
COMMITTEE**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday, April 5, 2000
9:30 a.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Mayor R. M. Morrow, Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Also Present: Alderman Kiss, Alderman Morelli, Alderman Collins, Alderman Wilson, P. Mallard, B. Janssen, R. Linschoten, R. Meiers, N. Smith, E. Switinky, J. Spolnik, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 07-00 AND RESPECTFULLY RECOMMENDS:

1. ZAR-00-03 Request for a Further Modification in Zoning – No. 180 Walnut Street South, Hamilton – (PDC00059)

That approval be given to Zoning Application ZAR-00-03, Ivo Civitarese, owner, requesting a further modification to the established "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations to permit a single family dwelling only within the existing building, for property located at 180 Walnut Street South, as shown on the attached map marked as APPENIDX "A", on the following basis:

- (a) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations, as contained in Section 11A of Zoning By-law No. 6593, as amended by By-law No. 76-312, be further modified to the extent only of the special requirement that:
 - (i) That Section 2(a) of By-law 76-312 be deleted and replaced by the following:

"Notwithstanding Section 11A (1) of By-law No. 6593 the existing building located on the lands shown on Schedule "A" may only be converted for one (1) dwelling unit."

- (b) That the amending by-law be added to Section 19 of Zoning By-law No. 6593, as Section S-490b, and the subject lands on Zoning District Map E-5 be notated S-490b;
- (c) That Corporate Counsel be authorized and directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5 for presentation to City Council;
- (d) That the proposed further modification in zoning is in conformity with the Official Plan for the City of Hamilton Planning Area; and
- (e) That the implementing by-law not be presented to City Council until the owner has entered into an Encroachment Agreement with the City of Hamilton for the existing building encroachments into the Forest Avenue and Walnut Street South road allowances.

2. ZAR-00-04 Request for a Change in Zoning – 89-91 Vine Street – (PDC00063)

That approval be given to Zoning Application ZAR-00-04, by Philpott Memorial Church, owner, for a change in zoning from "L-c" (Planned Development – Commercial) District to "H" (Community Shopping and Commercial etc.) District, modified, to permit the expansion of an existing parking lot and provide for landscaping for lands located at 89 - 91 Vine Street, as shown on the attached map marked as APPENDIX "B" on the following basis:

- (a) That the subject lands be rezoned from "L-c" (Planned Development – Commercial) District to "H" (Community Shopping and Commercial, etc.) District;
- (b) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14C of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
 - (i) That notwithstanding Section 14. (1) (viii) of Zoning By-law No. 6593 as amended by By-law No. 99-174, a public parking lot shall be permitted;

- (ii) That a landscaped planting strip have a minimum width of 3.0 m shall be provided and maintained along the entire street line except for the area used for access driveway;
- (iii) Section 18A(11) and (12) shall not apply along easterly lot line;
- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Section S-1312a, and that the subject lands on zoning district Map W-4 be notated as S-1312a;
- (d) That the Corporate Counsel be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-4 for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

3. ZAC-00-02 Request for a Change in Zoning – North Side of the Future Extension of Greywood Road, South of Glenview Place – (PDC00065)

- (a) That approval be given to Zoning Application ZAC-00-02, Casablanca Properties Inc., owner for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District, for lands located on the north side of the future extension of Greywood Road, south of Glenview Place, as shown on the attached map marked as APPENDIX "C", on the following basis:
 - (i) That the lands be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Detached) District;
 - (ii) That the General Manager, Community Planning and Development Division be authorized and directed to prepare a By-law, in a form satisfactory to the Corporate Counsel, to amend Zoning By-law No. 6593, and Zoning District Map W-17C for presentation to Council; and,
 - (iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That there be no increase in the number of lots on the south side of the future extension of Greywood Road than the number shown on the draft approved plan of subdivision (SAC-95-02).

4. Demolition of 163 Stone Church Road East (PDC00062)

That the Building Commissioner be authorized to issue a demolition permit for 163 Stone Church Road East in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

5. Amendment to the Approved Vincent Neighbourhood Plan – Proposed Deletion of the Walkway Located Between 166 & 170 St. Andrews Drive – (PDC00064)

- (a) That the Approved Vincent Neighbourhood Plan be amended by deleting the walkway located between 166 and 170 St. Andrews Drive; and,
- (b) That the closure and disposal of the walkway located between 166 and 170 St. Andrews Drive in the Vincent Neighbourhood Plan, as shown on the attached APPENDIX “D”, be referred to the Transport and Environment Committee for implementation.

6. Cash in Lieu of Parking (210–214 Locke St. S., Hamilton) – (PDC00058)

- (a) That the application by Joe Stanicak for the building at 210-214 Locke Street South, as shown on the attached map marked as APPENDIX “E”, for the payment of Cash-in-lieu for 8 parking spaces in the amount of \$20,400 be approved; and,
- (b) The Traffic Division Staff be directed to meet with the ward aldermen, neighbourhood business and residents to propose solutions to alleviate the parking situation and report back to the Planning and Development Committee; and,
- (c) That the Cash-in-lieu money as referred to in sub-section (a) above be directly applied to alleviate the Locke Street parking problems.

7. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-013 A By-law to Adopt Official Plan Amendment No. 165 Respecting Lands Located at 844 Upper Wentworth Street in the Bruleville Neighbourhood.

- (b) C-014 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located at Municipal No. 844 Upper Wentworth Street.
- (c) C-015 A By-law to Establish Site Plan Control Respecting Land Located at Municipal No. 844 Upper Wentworth Street.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest (Item 1)**

None declared.

- (b) **Adoption of Minutes – March 22, 2000 (Item 3)**

The Minutes of the meeting held March 22, 2000 were adopted.

- (c) **ZAR-00-04 Request for a Change in Zoning – 89-91 Vine Street – (PDC00063) (Item 2.1)**

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Ed Fothergill was present in support of the recommendation.

No one was present to speak in opposition to the recommendation.

- (d) **ZAR-00-04 Request for a Change in Zoning – 89-91 Vine Street – (PDC00063) (Item 2.2)**

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard advised that the north-east corner was not previously rezoned with the rest of the property for parking and that this is now a housekeeping measure.

Of 88 notices circulated 1 replied in favour and 1 opposed.

The proponent was present in support of the application.

No one was present in opposition.

(e) **ZAC-00-02 Request for a Change in Zoning – North Side of the Future Extension of Greywood Road, South of Glenview Place – (PDC00065)**
(Item 2.3)

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard advised that staff is recommending denial because the proposal is contrary to the terms of the initial settlement, does not have an appropriate transition in development, and does not provide a variety of lot sizes. Of 135 notices sent, 2 replied in favour and 6 opposed.

Angelo Cameracci, Cathy DiSilvestro, purchaser, and Arthur Weisz, developer, were present in support of the proposal.

Mr. Cameracci advised that only phase 3 is to be resolved the layout of other areas has already been determined.

Ms. DiSilvestro distributed photos of the area and a market analysis explaining that "C" zone homes will not sell next to homes of less value. It is not a good investment and people will not purchase them.

No one from the public was present to speak on the matter.

Alderman D'Amico asked if the proponents were willing to decrease phase three by 2 lots thereby increasing the frontages from 10 to 11 metres. The proponents were agreeable.

Alderman Copps supports the staff recommendation.

Following discussion the Committee passed a resolution to approve the Zoning application as amended to decrease Phase three by 2 lots thereby increasing the frontages from 10 to 11 metres.

* Alderman Copps was opposed.

- (f) **Demolition of 15 Division Street (PDC00060)(Item 4.1)**
-and-
Demolition of 74 Harrison Street (PDC00061)(Item 4.2)

The Committee tabled the reports in order to allow the ward aldermen to meet with the residents and the owners of the property.

- (g) **Amendment to the Approved Vincent Neighbourhood Plan – Proposed Deletion of the Walkway Located Between 166 & 170 St. Andrews Drive – (PDC00064) (Item 5.1)**

The Chairperson advised that notice was sent out to the public regarding this meeting and as such it is a public meeting open to presentations.

Kevin Rudd, owner of 166 St. Andrews Drive was present and advised that he initiated the closure and gave a brief history of the walkway indicating that it has been used as a dumping ground. He further advised that the City removed a retaining wall 2 ½ years ago and as a result his neighbour's property has had damage due to soil erosion.

Mr. Meiers suggested that the owners of the property initiate a claim for damages.

In addition to approving the recommendation of the General Manager, Community Planning and Development Division, the Committee also resolved as follows:

That Public Works Division Staff prepare a report for the Transportation and Environment Committee which gives cost estimates and recommendations for repairs to property at 170 St. Andrews Drive as a result of the City's removal of a retaining wall abutting the walkway located between 166 and 170 St. Andrews Drive.

- (h) **Cash in Lieu of Parking (210–214 Locke St. S., Hamilton) – (PDC00058) (Item 6)**

Mr. Diggins was present to speak in opposition to the Cash-in-lieu request.

He stated that the area is congested and many successful businesses are located along the street, which generates traffic, and there is no provision

for patrons to park other than on street parking and residential side streets. He feels that Cash-in-lieu will not alleviate the problem. He asked the Committee to deny the request because expansion without parking is unreasonable.

Margaret Webster of 30 Chatham Street was present in opposition to the Cash-in-lieu. She added that the corner of Chatham and Locke Street is hazardous.

Terry Stortz of 5 Chatham Street was present in opposition to the Cash-in-lieu. He agreed that the West Town is an asset to the community but that he is in agreement with the staff recommendation. He stated that if approved that Committee should do so under the following conditions:

- * development of a parking plan
- * formalization of the parking spaces leased by Computer post
- * assurances that cars not driving the wrong way on Chatham street

Joe Stanicak, Owner of the West Town Bar and Grill was present in support of the Cash-in-lieu proposal. He stated that the only reason he is expanding his business is to comply with the new smoking by-law. He added that several restaurants established after his business, which are located on Locke Street, were not required to provide parking. He added that many of his patrons are local and walk. He also provides 12 parking spaces that he leases in addition to 3 on site. He compared his situation with Hess village and added that should he be unable to expand he must exercise the house rule that does not allow children.

Alderman Caplan sated that the West Town was the catalyst for redevelopment on Locke Street. He stated that a possible solution would be to introduce parking meters on Locke Street.

Alderman Kiss supports the staff recommendation. She referred to the OMB decision that states that the impact of parking is major. She noted that the area was originally residential and that the spillover from commercial parking is a great problem.

Alderman Eisenberger suggested that a potential solution can be the use of the library property. He felt that 2 hour limit parking meters would help the parking problem.

Although the restaurant is a positive for the area, the parking issues still need to be resolved.

Alderman Copps felt that residents should not be required to use the alleyways for parking. Cash-in-lieu does not solve the parking problem.

Alderman Collins stated that the story of Locke Street is a success story that occurred without public funding. Parking must be addressed. -

Alderman Haining stated that if the business was a retail establishment it would not be required to provide parking if under 5,00 Square feet. It is unfortunate that the expansion is resulting from a City Smoking By-law.

Alderman Corsini does not support the staff recommendation.

Alderman Charters stated that the downtown needs people in order to be successful and that Locke Street is successful. It's where people want to be. Cash-in-lieu should be approved but the parking issue must be addressed.

The recommendation of the General Manager, Community Planning and Development Division dated March 17, 2000 was not voted upon.

Instead, a motion was placed on the floor and a vote called upon for each of the three sections.

* Alderman Copps was opposed to sub-section (a)

(i) **Other Business (Item 7)**

(i) Request for repeal of Site Plan By-law 98-206 woodland Meadows, West 5th and Stone Church Road West (Added)

Leave was granted to hear an added item.

Serge Manchia of Planning Initiatives was present to request repeal of Site Plan By-law 98-206 woodland Meadows, West 5th and Stone Church Road West.

He stated that the original zoning proposal was changed and as such the site plan based on the original proposal should be rescinded.

Paul Mallard advised that the abutting neighbours, Mr. Settino and

Mr. Piano were against the development based on the orientation of the lots. As a result Mr. Manchia agreed to resolve their concerns by having the buildings designed to be oriented towards Picino Street.

The Committee directed staff to meet with the residents and the proponent in order to resolve the concerns and report back to a special meeting of the Planning and Development Committee on Tuesday April 11 before City Council.

(ii) **Cancellation of April 19, 2000 Planning and Development Committee Meeting**

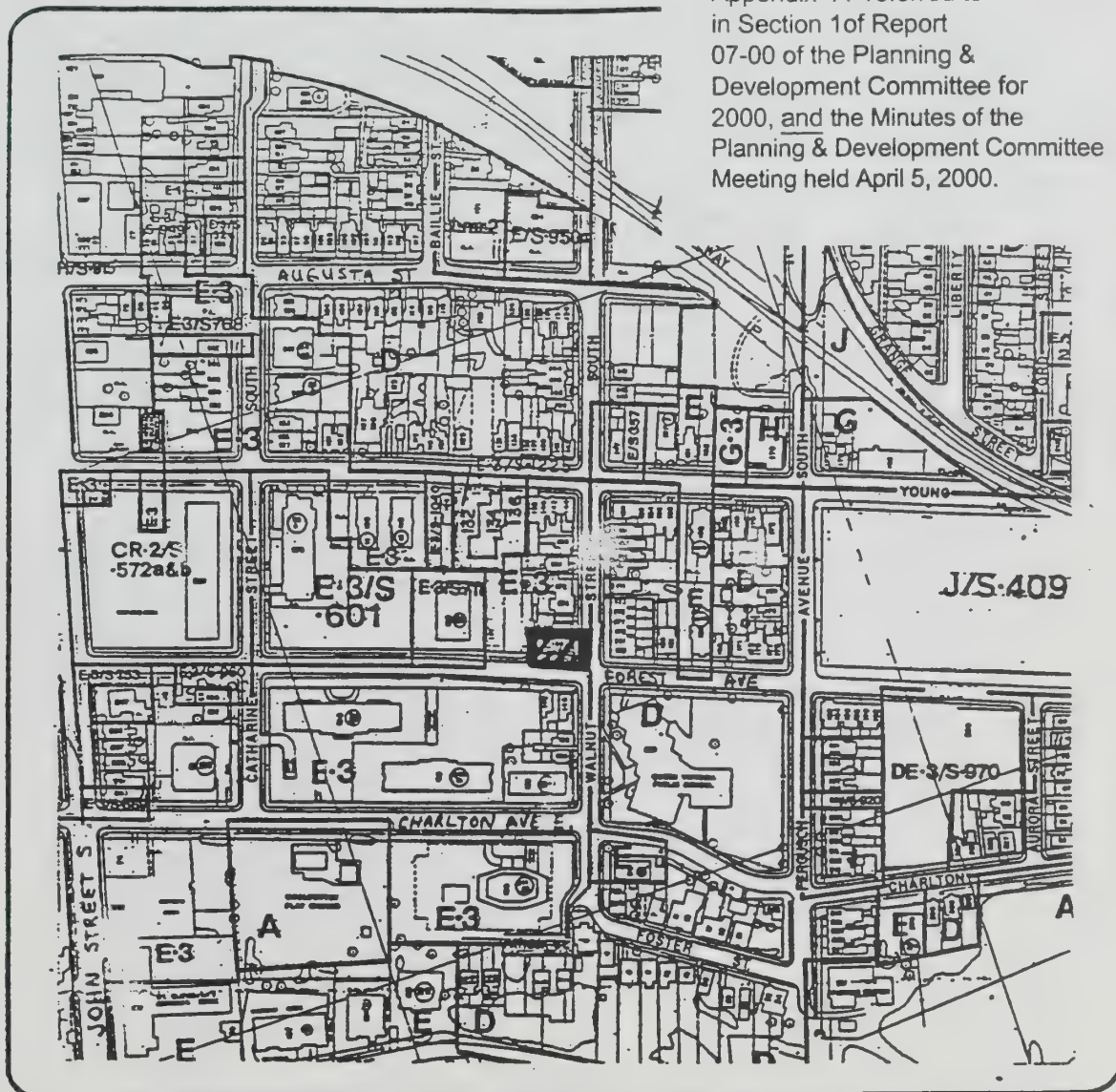
As a result of Aldermen being away for the American Planning Association Conference in April we will not have quorum and those items previously scheduled for that meeting will be rescheduled to the meeting of May 3, 2000.

Note: The meeting of the Planning and Development Committee adjourned at 11:35 a.m.

**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

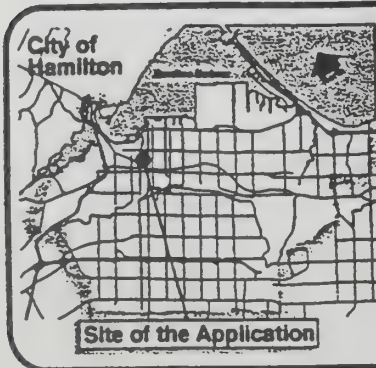
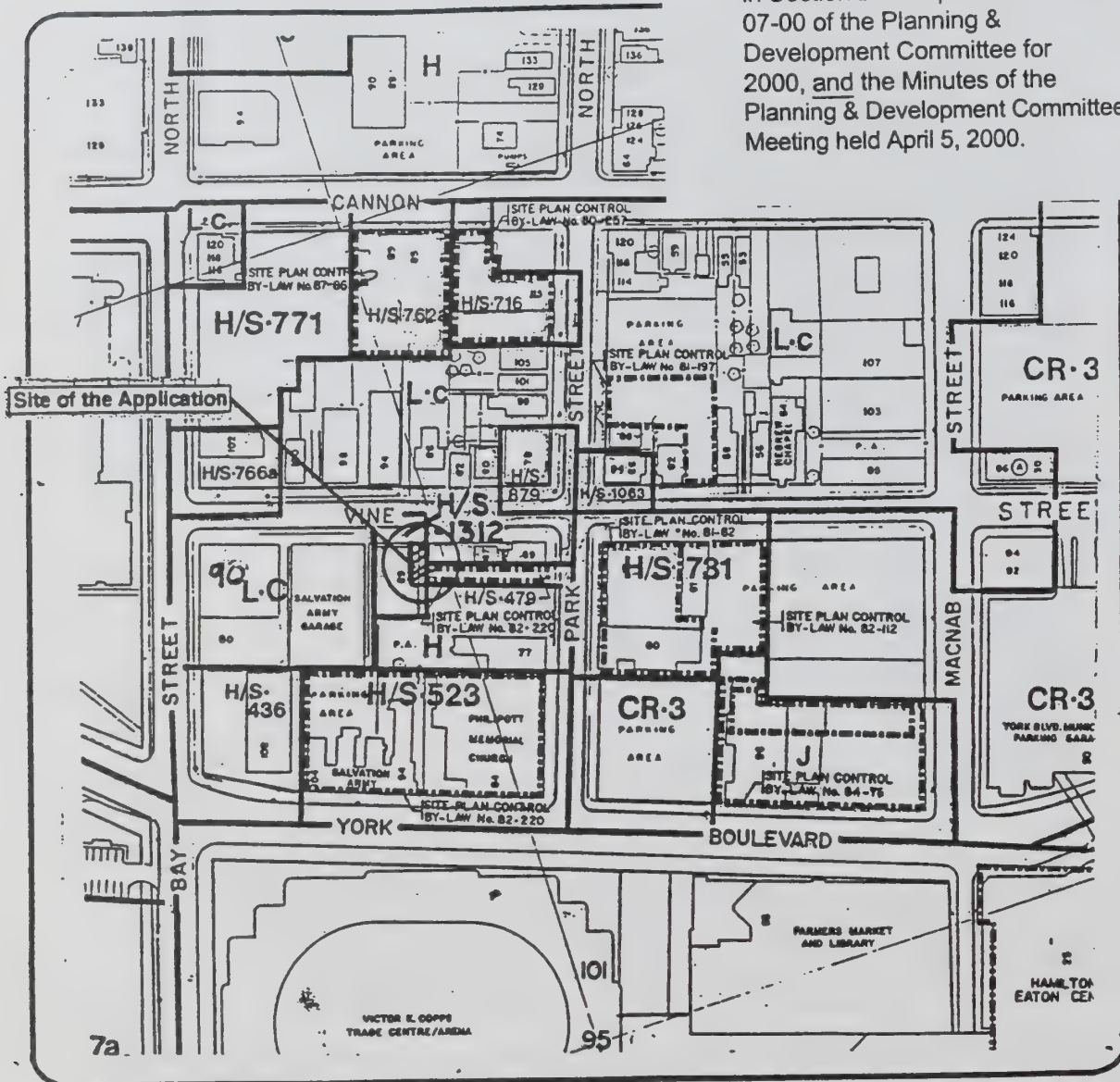
**Tina Agnello, Legislative Assistant
April 5, 2000**

Appendix "A" referred to
in Section 1 of Report
07-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held April 5, 2000.



<p>City of Hamilton</p> <p>Site of the Application</p>	<p>COMMUNITY PLANNING AND DEVELOPMENT DIVISION</p> <h2 style="text-align: center;">Location Map</h2>	
	<p style="text-align: center;">Legend</p>	
	<div style="display: flex; align-items: center;"> <div style="width: 20px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></div> <p>Further modification to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District</p> </div>	
	<p>Reference No: ZAR-00-03</p>	<p>Scale Not to Scale</p>
	<p>Date Feb, 1999</p>	<p>Technician: D.J.</p>
<p>APPENDIX 'A'</p>		

Appendix "B" referred to
in Section 2 of Report
07-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held April 5, 2000.



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

Change in zoning from:



"Lc" (Planned Development - Commercial) District
to "H" (Community Shopping and Commercial, etc.)
District, modified

Reference #: ZAR-00-04

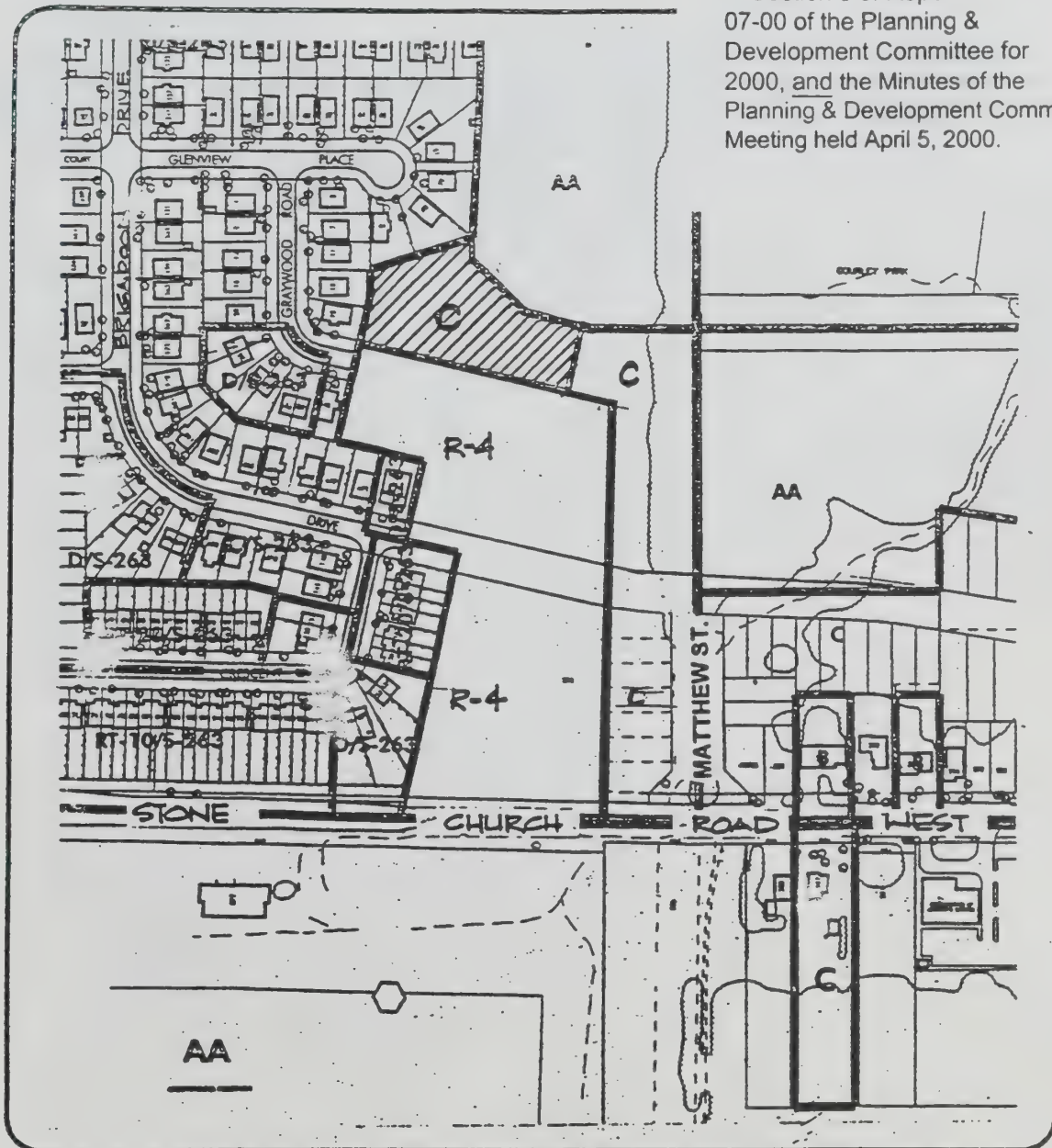
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Feb, 1999

Technician:
D.J.

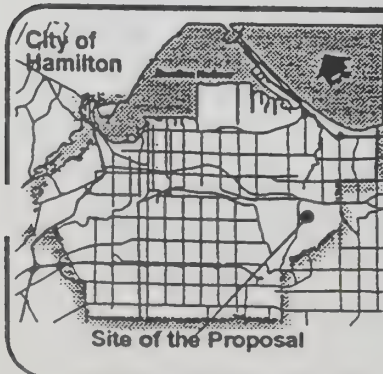
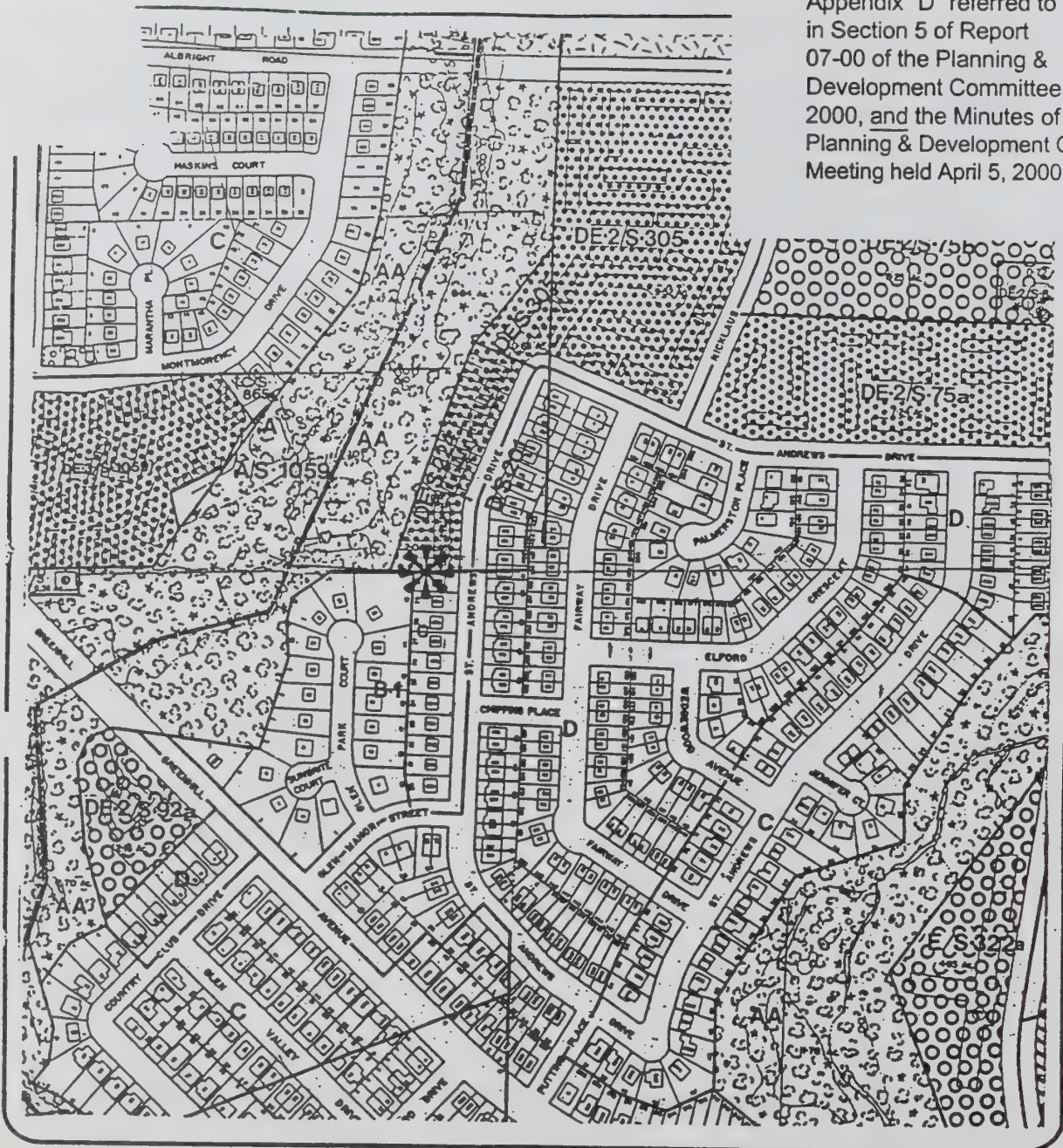
APPENDIX A

Appendix "C" referred to
in Section 3 of Report
07-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held April 5, 2000.



<p>Site of the Application</p> <p>City of Hamilton</p>		<p>COMMUNITY PLANNING AND DEVELOPMENT DIVISION</p> <h2 style="text-align: center;">Location Map</h2> <p style="text-align: center;">Legend</p> <p style="text-align: center;">Change in Zoning from:</p> <div style="display: flex; align-items: center;"> <div style="width: 20px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></div> <div> <p>"C" (Urban Protected Residential, etc.) District to</p> <p>"R-4" (Small lot Single Family Dwelling) District</p> </div> </div>		<p>Reference file: ZAC-00-02</p> <p>Scale Not to Scale</p> <p>Date Feb., 2000</p> <p>Technician: R. B.</p> <p>APPENDIX IV</p>
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Appendix "D" referred to
in Section 5 of Report
07-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held April 5, 2000.



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend



Proposed Neighbourhood Plan
Amendment to delete walkway.

Reference file:
P5-2-132

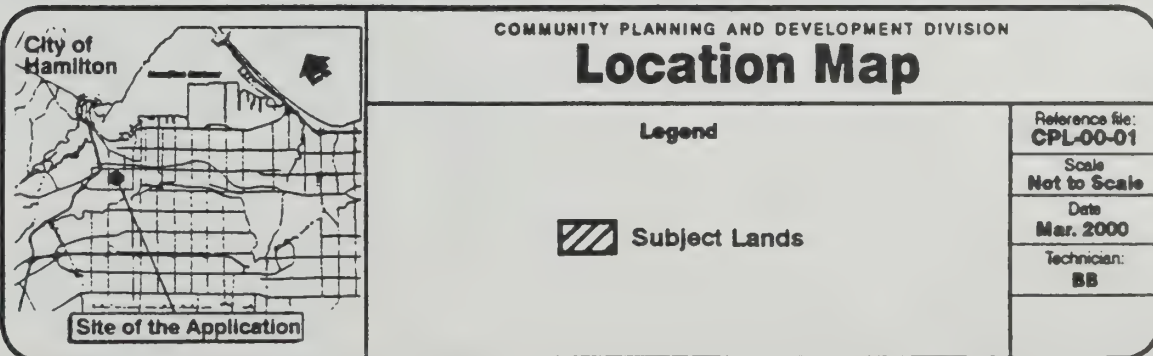
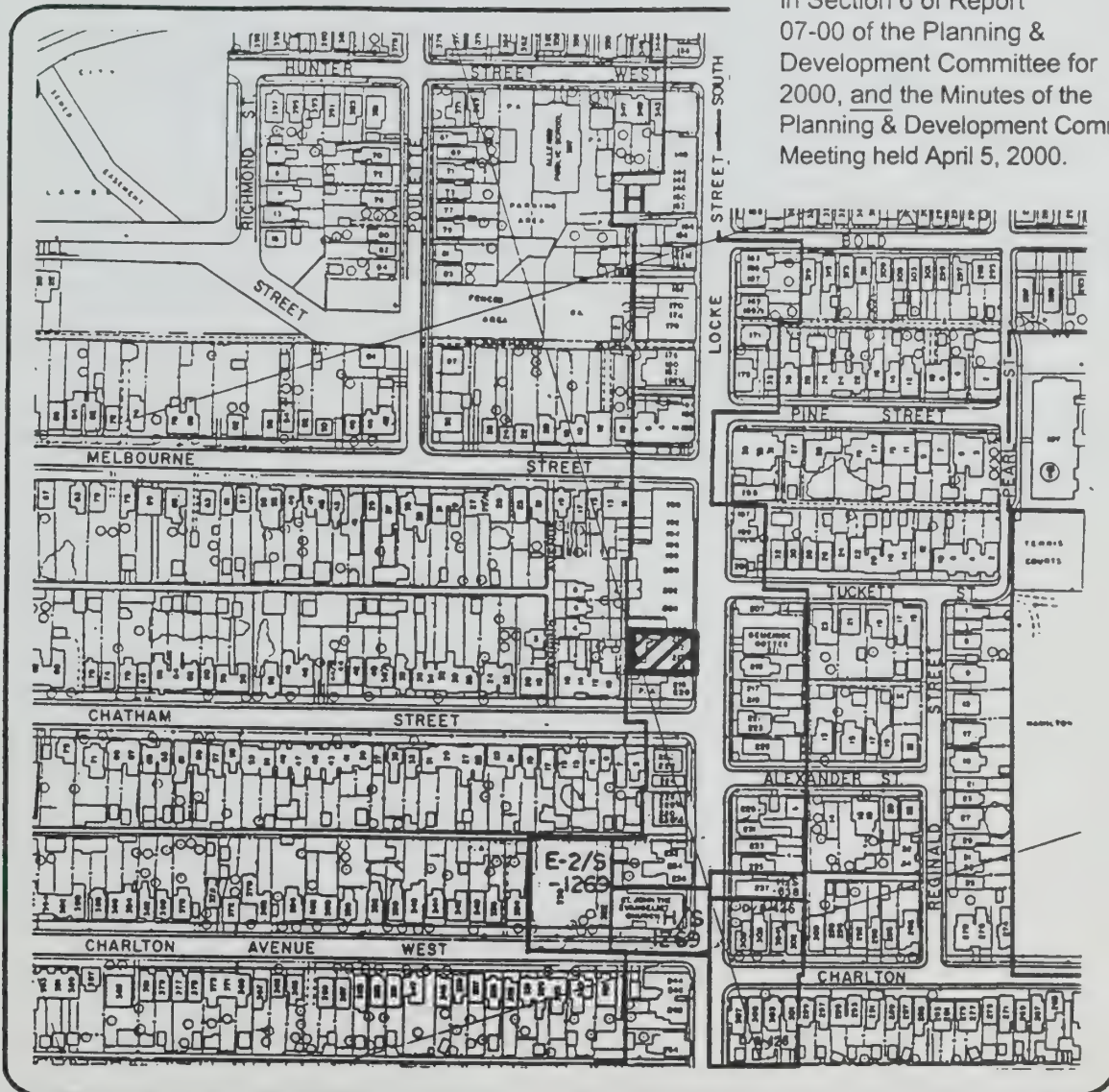
Scale
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Date
January 2000

Technician:
R.L.



Appendix "E" referred to in Section 6 of Report 07-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held April 5, 2000.



FINANCE & ADMINISTRATION
COMMITTEE



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, April 4, 2000
9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:**City Finance and Administration Committee**

Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Mayor R. Morrow, Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly

Region Finance and Administrative Services Committee

Councillor B. Charters (Chairman), Councillor G. Etherington (Vice-Chairman), Regional Chairman T. Cooke, Councillors D. O'Sullivan, F. D'Amico, B. Kelly, R. Powers, M. Kiss, A. Bain, D. Wilson, M. Caplan, A. Sloat

Also present:

Councillors B. Morelli, T. Jackson
J. Bruzzese, E. Holt, B. Neil, A. Ross, A. Zuidema, T. Bradbury,
L. Coveyduck, C. Swenor, E. Bourns, N. Catalano, R. Fair,
S. Farrauto, D. Rose, B. Dowd, B. Leonard, M. Wilson

Alderman D. Wilson, Chairman called the meeting to order.

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 08-00 AND RESPECTFULLY RECOMMENDS:

1. **HECFI Board - Grant request - Canadian Figure Skating Association - 2002 Canadian Figure Skating Championships (Item 9)**
 - (a) That Region/City Councils and the Transition Board be requested to approve a grant of \$75,000. To the Canadian Figure Skating Association for the purpose of attracting the 2002 Canadian Figure Skating Championships to Copps Coliseum; and,

(b) That the Province of Ontario be requested to provide funding for the event.

2. External Posting - Labour Relations Officer (HUR00005)(Item 10)

That the Acting General Manager of Human Resources be authorized and directed to advertise externally for a Labour Relations Officer.

3. Amendment to the Policy on Private Sector Solicitation of Employees (HUR99019a)(Item 11)

That the amended policy, attached herewith and marked Appendix "A" on private sector solicitation of employees be approved.

4. Association of Municipalities of Ontario Annual Conference - August 13 - 16, 2000, Ottawa, Ontario (Item 13)

That the Mayor, Chairman of the Finance and Administration Committee, or their designates, and four members of City Council be authorized to attend the Association of Municipalities of Ontario Annual Conference being held August 13 - 16, 2000 in Ottawa, Ontario.

5. Appointment By-law - Additional Temporary Acting Clerk (CS00020)(New Business #4)

(a) That Susan K. Reeder be appointed Temporary Acting Municipal Clerk in the absence of the Acting Municipal Clerk; and,

(b) That the By-law, respecting the appointment of an Additional Temporary Acting Municipal Clerk for the Corporation of the City of Hamilton be approved for enactment by City Council.

6. Correspondence - Hamilton International Air Show - Request for funding of a Civic Reception (Item 19)

(a) That the City of Hamilton host a Civic Reception - Crew/Volunteer Appreciation Night on June 16, 2000 for the 2000 Hamilton International Air Show, at a cost not to exceed \$5,000.; and,

(b) That the funding for this expenditure be financed from the Special Civic Receptions and Delegations Hostings Account No. CH 55314 84010.

7. Retirement Eligibility Extension - Terry Bryce (CS00019)(Item 21)

That the early retirement date for Terry Bryce, Systems Analyst, be extended to August 31, 2000.

8. Sale of Fire Vehicles (CSC00052)(Item 22)

- (a) That, in accordance with the Hamilton Fire Department Business Plan, and as a result of the tender process conducted in accordance with City Purchasing Policy, that the bid of \$225,001 exclusive of taxes for Truck #1699, 1990 GMC/Volvo Foam Unit from Darlington Nuclear Plant (Ontario Power Generation) be accepted; and
- (b) That Truck #1699, 1990 GMC/Volvo Foam Unit be available for training and pickup by Darlington Nuclear Plant (Ontario Power Generation) the week of April 17th, 2000; and
- (c) That the City Purchasing Department begin the tender process in accordance with the City Purchasing Policy to request offers for the sale of a second vehicle, Truck #1609, 1991 Grumman/Spartan Gladiator Ladder Truck; and
- (d) That the proceeds from the sale of the vehicles be applied to COHAM47606-480051002 Vehicles-New & Convert-B.P.

9. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears (FIN00034) (Item 23)

- (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the owners as outlined in on the Schedule attached herewith and marked Appendix "B" to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994; and,
- (b) That the by-law to authorize the said Extension Agreements be enacted by City Council; and,
- (c) That the Mayor and Acting Municipal Clerk be authorized to execute the aforesaid by-law and extension agreements.

10. Hamilton Fire Station No. 5, Minor Upgrades; Hamilton Fire Station No. 7, Ambulance Expansion and Minor Upgrades - Approval of Construction Contract Award (CSCC 000000)(Item 24)

- (a) That staff be authorized to issue a Purchase Order to G. S. Wark Limited of Hamilton in the amount of One Hundred and Seventy Six Thousand (\$176,000.) plus applicable taxes of Twelve Thousand Three Hundred and Twenty (\$12,320.) for alterations to Fire Station Nos. 5 and 7 at 1000 Limeridge Road East and 225 Quigley Road as detailed in the Contract Documents issued on February 14, 2000; and,
- (b) That a contract satisfactory to Corporate Counsel be entered into between the City and the Contractor; and,
- (c) That the Mayor and the Acting Municipal Clerk be authorized to execute the contract on behalf of the City; and,

11. Billiard Parlour Licences (PDC00074)(Item 25)

That the City of Hamilton Licensing By-law No. 93-203 be amended to provide for the following:

- (a) That restaurants and public halls be permitted to have up to two billiard tabled, if it is considered to be accessory to the principle use of the business without a licence; and,
- (b) That the City Solicitor be authorized and directed to prepare the necessary By-law amendments.

12. Cancellation of Tax Arrears Certificate and Subsequent Agreement to repay Outstanding Taxes on the property at 205 Cannon Street East (FIN00039)(Item 27.1)

- (a) That the General Manager, Finance and Corporate Counsel negotiate a repayment agreement with the owner of the property known municipally at 205 Cannon Street East, Hamilton, on or before August 15, 2000, which Agreement would be in lieu of the existing tax arrears certificate currently registered against title to the subject lands; and,

- (b) That in the event that a repayment Agreement is entered into between the City of Hamilton and the owners of the property known municipally as 205 Cannon Street East, Hamilton, the Tax Arrears Certificate currently registered against title to these lands be vacated on or before September 1, 2000.

13. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-015 A By-law to appoint an additional Temporary Acting Clerk for the Corporation of the City of Hamilton
- (b) D-016 A By-law to authorize an Extension Agreement for payment of Realty Tax Arrears
- (c) D-017 A By-law to amend City of Hamilton Licensing By-law No. 93-203 respecting Billiard Parlour Licences
- (d) D-018 A By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest (Item 1)**

Item 27.1 Cancellation of Tax Arrears Certificate and subsequent Agreement to repay outstanding taxes on the property at 205 Cannon Street East (FIN00039)
Alderman Caplan declared a conflict of interest in this matter as he is involved in a litigation matter with the proponents of this Issue.

(b) **Adoption of Minutes- Tuesday, March 21, 2000 (Item 8)**

That the Minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on Tuesday, March 21, 2000 be adopted.

(c) **Information Items Listing (Item 12)**

The Committee approved the receipt of the following Information Items:

- 12.1 Correspondence - Association of Municipalities of Ontario - AMO Secures Extension of Date for Setting Tax Rates - dated March 20, 2000
- 12.2 Correspondence - Association of Municipalities of Ontario - Results of the AMO Board of Directors Meeting - dated March 17, 2000
- 12.3 Correspondence - St. Joseph's Hospital - "Heroes 2000" program - sponsorship campaign - dated March 23, 2000
- 12.4 General Manager, Community Services Division - IAFF Local 288 Fund Raising Initiatives for 2000 (CSC00044) - dated March 17, 2000
- 12.5 Correspondence - LACAC re Jolition - 74 Hughson Street South - dated March 20, 2000

(d) **Correspondence - The Canadian Peregrine Foundation - Fundraising Campaign - dated March 14, 2000 (Item 12.6)**

The Committee agreed to refer this request to the City's Grants Committee.

(e) **Delegation - John Badeau, 24 Cope Street North - Claim (Item 16)**

The Committee agreed to refer this matter to staff for a report back to a special meeting of the Committee prior to the next City Council meeting.

(f) **Delegation - H.S.P.C.A. (Item 17)**

The Committee agreed to refer the future role of the H.S.P.C.A. function to the Transition Board Task Forces for consideration. The Committee further agreed to refer to staff the submission of the H.S.P.C.A. in order to review and report back on those areas which require immediate action.

(g) **Minutes Special meeting - Finance and Administration Committee (Item 18)**

The Committee approved the minutes of its special meeting held on Tuesday, March 14, 2000, as amended to note Alderman Haining as "regrets - vacation".

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 11:45 a.m.

Alderman D. Wilson, Chairman
City Finance and Administration Committee

Susan K. Reeder, Legislative Assistant
April 4, 2000

Appendix "A" as referred
To in Section 3 of Report
08-00 of the City Finance
and Administration
Committee

CITY OF HAMILTON/REGION OF HAMILTON-WENTWORTH HUMAN RESOURCE SERVICES POLICY & PROCEDURE MANUAL

SECTION: <i>Terms and Conditions of Employment</i>	
SUBJECT: <i>Private Sector Solicitation of Employees Policy</i>	POLICY NO.: <i>7.21</i>
ELIGIBILITY: <i>All Employees</i>	

The City of Hamilton and the Region of Hamilton-Wentworth will not permit private sector companies to solicit or procure business from its employees.

This policy does not prohibit however consideration being given to the following groups to solicit or procure business or donations from its employees:

- *Charitable organizations;*
- *Youth or children's organizations;*
- *Professional sports organizations; and*
- *Other community groups*

Approval Date: *1999 November 30 (City); 1999 November 16 (Region)*

Revision Date:

Cross-Reference:

SCHEDULE "A"
EXTENSION AGREEMENTS

Appendix "B" as referred
To in Section 9 of Report
08-00 of the City Finance
and Administration Committee

- | | |
|---------------------|-------------------|
| 1) PROPERTY ADDRESS | 78 REGENT AVE. |
| SERIAL NUMBER | 08 10410 4900 |
| REDEMPTION DATE | DECEMBER 22, 2000 |
| 2) PROPERTY ADDRESS | 81 ERIN AVE. |
| SERIAL NUMBER | 05 03620 5090 |
| REDEMPTION DATE | DECEMBER 7, 2000 |
| 3) PROPERTY ADDRESS | 19 ORCHARD HILL |
| SERIAL NUMBER | 01 00830 0990 |
| REDEMPTION DATE | DECEMBER 22, 2000 |
| 4) PROPERTY ADDRESS | 30 KING ST. E. |
| SERIAL NUMBER | 02 01515 0160 |
| REDEMPTION DATE | OCTOBER 14, 2000 |

HAMILTON-SCOURGE STEERING COMMITTEE

(copy to follow)

L I C E N S I N G C O M M I T T E E



REPORT

CITY OF HAMILTON LICENSING COMMITTEE

Wednesday, March 29, 2000
6:00 p.m.

Room 219, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. Eisenberger (Chairperson), Alderman D. Haining, N. Mleczko, D. Drury

Regrets: Alderman B. Kelly – City Business

Also Present: Alderman A. Horwath, Alderman R. Corsini, P. Lampman, D. Rose, S. Glover

Alderman F. Eisenberger, Chairperson, called the meeting to order.

THE CITY OF HAMILTON LICENSING COMMITTEE PRESENTS REPORT 03-00 AND RESPECTFULLY RECOMMENDS:

1. Michael Dozzi – Taxi Cab Driver Licence (Item 3.1)

That the Taxi Cab Driver Licence application of Michael Dozzi be denied until Mr. Dozzi obtains a Class G Driving Licence issued under the Highway Traffic Act.

2. Shaukat Bhatti – Taxi Cab Driver Licence (Item 3.2)

That the Taxi Cab Driver Licence application of Shaukat Bhatti be granted subject to Mr. Bhatti submitting an updated driving abstract to the Issuer of Licences on October 11, 2000.

3. Khalid Elhakeem – Taxi Cab Driver Licence (Item 3.3)

That the Taxi Cab Driver Licence of Khalid Elhakeem be suspended until Mr. Elhakeem obtains a Class G Licence issued under the Highway Traffic Act.

4. Irshad Hussain – Taxi Cab Driver Licence (Item 3.4)

That the Taxi Cab Driver Licence of Irshad Hussain be suspended until Mr. Hussain obtains a Class G licence issued under the Highway Traffic Act.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes – February 24, 2000 (Item 2)

That the Minutes of the meeting of the City of Hamilton Licensing Committee held on January 13, 2000 be adopted.

(c) Taxi Cab Driver Licence Hearings (Item 3)

The Licensing Committee met in camera to hold Show Cause Hearings with regard to the following Licences:

- (a) Michael Dozzi
- (b) Shaukat Bhatti
- (c) Khalid Elhakeem
- (d) Irshad Hussain

Confidential background material pertaining to these matters was circulated to Members of Council under separate cover.

(d) Monopoli Restaurant Inc. (Syndicate) 52 James Street - Restaurant Licence (Item 4)

In accordance with Licensing Committee direction at its meeting of February 24, 2000, a written report was received from Licence Division staff with regard to the above noted establishment. Verbal updates were received from the police and noise control officer and it was noted that the applicant had applied for a zoning

change in order to apply for a Public Hall Licence. Input was received from Ward Alderman Andrea Horwath and from the licence holders. The operators requested that the 2.45 a.m. closing time be lifted and were advised that this would be dealt with at the next review in one month's time, unless the applicant makes written application in the meantime for a special meeting to be held.

(e) **Taxi Plate Transfer Upon Death (Item 5)**

A verbal update was received from D. Rose, Supervisor of Licences and the Committee agreed to table this matter until the overall taxi plate by-law review is conducted by the Transition Board.

(f) **Other Business (Item 6)**

(a) **Taxi Plate Renewals for Michael McLoughlin (PDC00071) (Item 6(a))**

The Committee received for information a report dated March 21, 2000 from the General Manager, Community Planning and Development in this regard.

(b) **Ratification of Licences (PDC00070) (Item 6(b))**

The Committee formally approved the Licence Reports respecting licence applications for the period from November 16, 1999 to March 28, 2000.

Note: The meeting of the City of Hamilton Licensing Committee adjourned at 6:45 p.m.

**Alderman Fred Eisenberger, Chairperson
City of Hamilton Licensing Committee**

**Stella Glover, Legislative Assistant,
March 29, 2000**

GRANTS COMMITTEE



REPORT

CITY OF HAMILTON Grants Committee

Tuesday, March 28, 2000
9:30 a.m.
Room 233, Hamilton City Hall

Present: Alderman M. Caplan (Chairman)
Aldermen D. Wilson, B. Charters, T. Jackson

Also Present: Alderman R. Corsini
Dr. E. Richardson, J. Underwood, C. Bian, K. Duncliffe, C. Biggs

Absent: Mayor R. Morrow – City Business

Alderman M. Caplan, Chairman, called the meeting to order.

THE GRANTS COMMITTEE PRESENTS REPORT 02-00 AND RESPECTFULLY RECOMMENDS:

1. 2000 City Grants Budget (CG00001a) (Item 3)

- (a) That the applications received from Mount Hamilton Youth Soccer Club, the Hamilton Lacrosse Association and Junior Achievement of Hamilton-Wentworth, be received; and,
- (b) That the following amounts be allocated from the 2000 City Grants Budget:
 - (i) Conqueror II (Category A-1), increased by \$3,520, from \$2,480 to \$6,000; and,
 - (ii) Symphony Hamilton (Category A-9), increased by \$3,520, from \$2,480 to \$6,000; and,
 - (iii) Hamilton Children's Choir (Category A-12) - \$700; and,

- (iv) Hamilton Folk Arts Heritage (Category B-3), increased by \$3,000, from \$2,490 to \$5,490; and,
- (v) Volunteer Centre (Category D-6), increased by \$4,510, from \$2,490 to \$7,000.

FOR THE INFORMATION OF COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes – March 28, 2000 (Item 2)

That the Minutes of the meeting of the Grants Committee held on March 28, 2000 be adopted.

**Alderman M. Caplan, Chairman
Grants Committee**

**Carolyn Biggs, Legislative Assistant
April 6, 2000**



BILLS
CITY OF HAMILTON
CITY COUNCIL
Tuesday, April 11, 2000

- A-019 A By-law to incorporate city land designated as Part of Block 30 on Plan 62M-710, being Part 3 on Plan 62R-13389, save and except Part 2 on Plan 62R-14168, into Chesley Street
- A-020 A By-law to incorporate City land designated as Block 30 on Plan 62M-866, into Jacqueline Boulevard
- A-021 A By-law to incorporate City land designated as Block 29 on Plan 62M-866, into Magenta Court
- A-022 A By-law to incorporate City land designated as Block "BX" on Plan 62M-131, into Roland Road
- A-023 A By-law to incorporate City land designated as Block "CX" on Plan 62M-131, into Claudette Gate
- A-024 A By-law to amend Traffic By-law 89-72 to Regulate Traffic
- A-025 A By-law to amend Traffic By-law 89-72 to Regulate Traffic
- C-013 A By-law to Adopt Official Plan Amendment No. 165 respecting lands located at 844 Upper Wentworth Street in the Bruleville Neighbourhood.
- C-014 A By-law to Amend Zoning By-law No. 6593 respecting lands located at Municipal No. 844 Upper Wentworth Street.
- C-015 A By-law to Establish Site Plan Control respecting land located at Municipal No. 844 Upper Wentworth Street.
- D-015 A By-law to Appoint an additional temporary Acting Clerk for the Corporation of the City of Hamilton.
- D-016 A By-law to Authorize an Extension Agreement for payment of realty arrears.
- D-017 A By-law to amend City of Hamilton Licensing By-law No. 93-203 respecting Billiard Parlour Licences.
- D-018 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO INCORPORATE CITY LAND
DESIGNATED AS PART OF BLOCK 30 ON PLAN 62M-710,
BEING PART 3 ON PLAN 62R-13389, SAVE AND EXCEPT
PART 2 ON PLAN 62R-14168
INTO CHESLEY STREET

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Chesley Street within its limits;

AND WHEREAS the said land is owned by the Corporation of the City of Hamilton.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Chesley Street.

A one-foot reserve, being part of Block 30 on Plan 62M-170 and being Part 3 on Plan 62R-13389, save and except Part 2 on Plan 62R-14168,

City of Hamilton

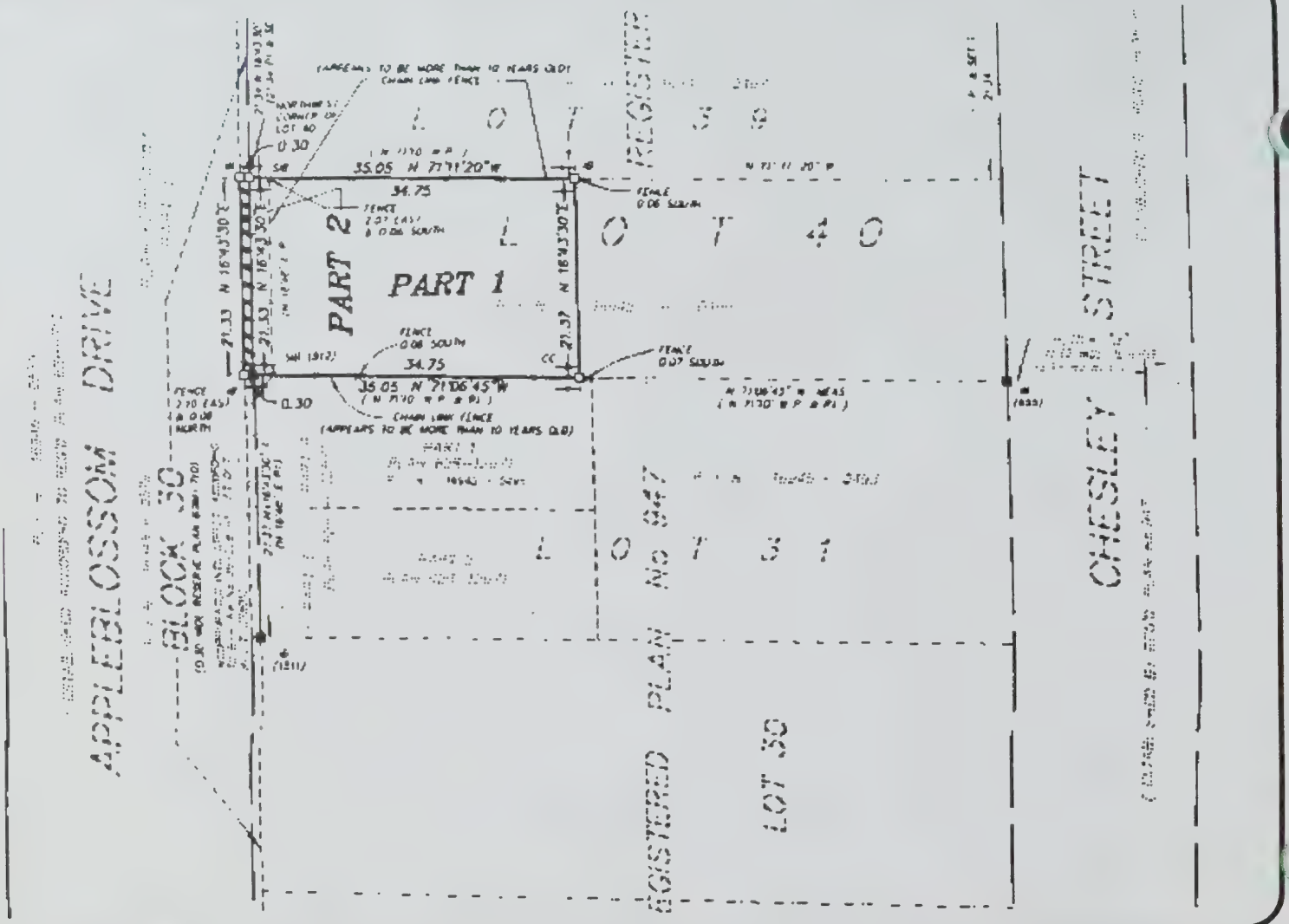
Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

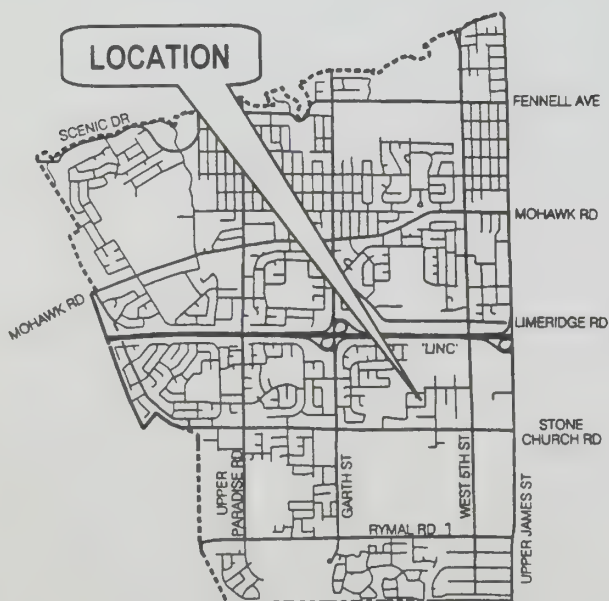
PASSED this 11th day of April, A.D. 2000.

Municipal Clerk

Mayor



KEY MAP



HAMILTON
WARD 8



LOCATION PLAN

APPLEBLOSSOM DRIVE
Block 30, Plan 62M-710 & Part 3, Plan
62R-13389

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON WESTMONT

LEGEND



SUBJECT LAND

SCALE
NOT TO SCALE

DATE
2000-03-09

REFERENCE FILE NO: S-601-02

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 30 ON PLAN 62M-866
INTO JACQUELINE BOULEVARD

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Jacqueline Boulevard within its limits;

AND WHEREAS the said land is owned by the Corporation of the City of Hamilton.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Jacqueline Boulevard.

Block 30 on Plan 62M-866,

City of Hamilton

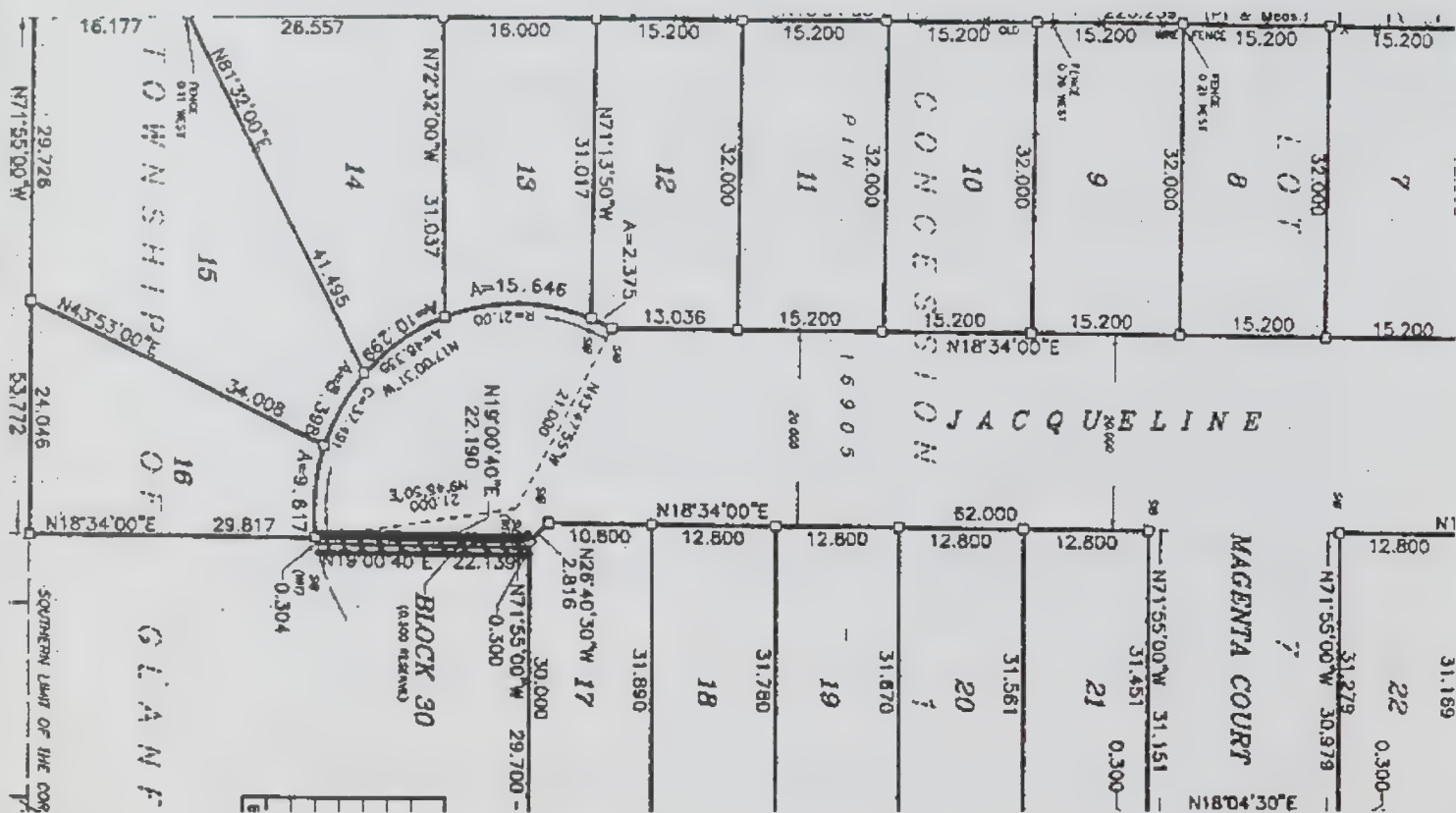
Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

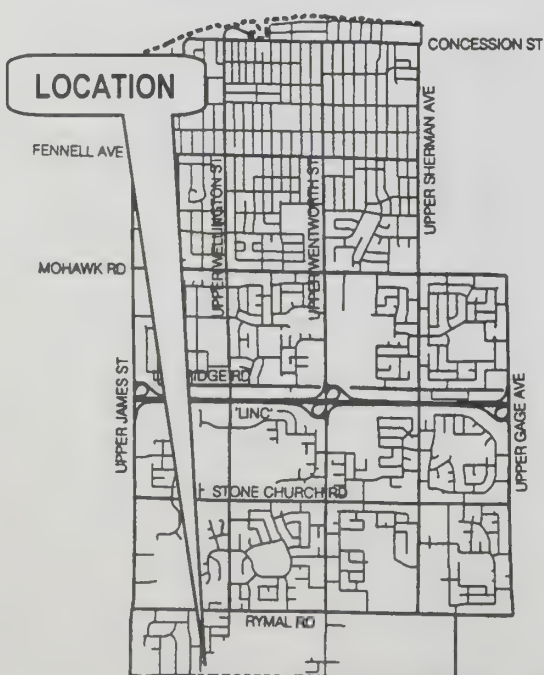
PASSED this 11th day of April, A.D. 2000.

Municipal Clerk

Mayor



KEY MAP



**HAMILTON
WARD 7**



LOCATION PLAN

JACQUELINE BOULEVARD
(Block 30 on Plan 62M-866)

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND



SUBJECT LAND

SCALE
NOT TO SCALE

DATE
2000-03-14

REFERENCE FILE NO: **S-601-02**

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 29 ON PLAN 62M-866
INTO MAGENTA COURT

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Magenta Court within its limits;

AND WHEREAS the said land is owned by the Corporation of the City of Hamilton.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Magenta Court.

Block 29 on Plan 62M-866,

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 11th day of April, A.D. 2000.

Municipal Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK "BX" ON PLAN 62M-131
INTO ROLAND ROAD

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Roland Road within its limits;

AND WHEREAS the said land is owned by the Corporation of the City of Hamilton.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Roland Road.

Parcel Plan 1, Section M131, designated as Roland Road on Plan M-131, Parcel 1, Reserve 1, Section M-131, Block "BX" on Plan 62M-131,

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 11th day of April, A.D. 2000.

Municipal Clerk

Mayor



KEY MAP



HAMILTON
WARD 8

LOCATION PLAN

ROLAND ROAD
Block "BX" on Plan 62M-131

CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
TRANSPORTATION, OPERATIONS & ENVIRONMENT

LEGEND



SUBJECT LAND

SCALE
NOT TO SCALE

DATE
2000-03-16

REFERENCE FILE NO: S-601-02

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK "CX" ON PLAN 62M-131
INTO CLAUDETTE GATE

WHEREAS the Council of the Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Claudette Gate within its limits;

AND WHEREAS the said land is owned by the Corporation of the City of Hamilton.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Claudette Gate.

Parcel Plan 1, Section M131, designated as Roland Road on Plan M-131, Parcel 1, Reserve 1, Section M-131, Block "CX" on Plan 62M-131,

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. That the Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this 11th day of April, A.D. 2000.

Municipal Clerk

Mayor

"Jackson	North	commencing at a point 53 feet east of Spring to a point 65 feet easterly therefrom	1 hr	8 am - 6 pm	Mon - Sat
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Munroe	North	Niagara to Hillyard	1 hr	8 am - 8 am (24 hrs)	Mon - Sun
Jerome	East & South	Riverdale to Delawana	2 hr	8 am - 8 am (24 hrs)	Mon - Sun"

3. That **Schedule 26 (No Parking Areas)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Normandy	North	Barons to Auburn	Anytime
Violet	East	Barlake to 228 feet southerly	Anytime
Violet	South & East	commencing 229 feet east of Grandville and extending to a point 300 feet south of Barlake	Anytime
West15th	West	Mohawk to 80 feet northerly	Anytime"

and by deleting therefrom the following items, namely:-

"Ferrie	North	Mary to 118 ft. east	Anytime
Normandy	North	Barons to Rodgers	Anytime
Violet	East	Barlake to westerly leg of Violet	Anytime
Violet	East	Barlake to southerly end	Anytime
West15th	West	Mohawk to 140 ft. north	Anytime"

4. That **Schedule 27 (Alternate Side Parking)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Normandy Road Auburn Avenue to Rodgers Road	North	South"
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5. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Strathcona	East	commencing 191 feet south of King and extending 37 feet southerly therefrom	Anytime
Elgin	West	commencing 370 feet south of Barton and extending 20 feet southerly therefrom	Anytime
East 24th	West	commencing 123 feet north of Crockett and extending 23 feet northerly therefrom	Anytime"

and by deleting therefrom the following items, namely:-

"Strathcona	East	commencing at a point 283 feet south of King and extending 20 feet southerly therefrom	Anytime
Caroline	West	commencing at a point 60 feet north of the south end of the street to a point 20 feet northerly therefrom	Anytime"

6. In all other respects By-law 89-72 and all Schedules thereto, as amended, is hereby confirmed unchanged.
7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 11th day of April, 2000.

MUNICIPAL CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Miles Court	Northbound	South
Dundonald	Eastbound	Charlotte
Dundonal	Westbound	Charlotte
Kenwood	Eastbound	Kingslea
Enola	Southbound	Presidio
Presidio	Eastbound and Westbound	Enola
Sanatorium	Eastbound and Westbound	W33rd
Adele	Westbound	Claudette"

2. That **Schedule 11 (Yield Right-Of-Way Signs)** of By-law 89-72, as amended, is hereby further amended by deleting therefrom the following item, namely:-

"Dundonald	Eastbound and Westbound	Charlotte"
------------	-------------------------	------------

3. That **Schedule 23 (Hamilton Street Railway Bus Stops)** of By-law 89-72, as amended, is hereby further amended by adding to the "Inbound" column thereof the following item, namely:-

"Glow Avenue, north side, 252 feet west of Woodward Avenue (M/B)"

and by adding to the "**Outbound**" column thereof the following items, namely:-

"Beach Road, south side, 46 feet east of Albemarle Street (F/S)

Beach Road, south side, 72 feet east of Woodleigh Avenue (F/S)"

and by deleting from the "**Inbound**" column thereof the following items, namely:-

"Brampton at Woodward (FS)

Dunn at Mead

Dunn at Glow"

and by deleting from the "**Outbound**" column thereof the following items, namely:-

"Beach Road, south side, 23 feet west of Albemarle (N/S)

Beach Road at Woodleigh

Glow at Dunn"

4. That **Schedule 29 (No Stopping Areas - No Stopping Anytime)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Tragina	East	Dunsmure to 380 feet northerly	Anytime
Weir	West	Dunsmure to 380 feet northerly	Anytime
Earl	East	commencing 104 feet north of Barton and extending 54 feet northerly therefrom	Anytime"

5. That **Schedule 30 (Commercial Vehicle Loading Zones)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Earl	East	104 feet	Barton northerly	8:00 a.m. - 8:00 p.m. Monday to Saturday
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6. That **Schedule 35 (Wheelchair Loading Zones)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Ferguson	East	49 feet	53 feet north of King William	Anytime
Fairfield	West	24 feet	42 feet south of Vansitmart	9:00 am - 5:00 pm" Monday to Friday

and by deleting therefrom the following item, namely:-

"Parkplaza	North	33 feet	151 feet east of Grand Oaks	Anytime"
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7. In all other respects, By-law 89-72 and all Schedules thereto, as amended, is hereby confirmed unchanged.

8. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 11th day of April, 2000.

MUNICIPAL CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 00-

To Adopt:

Official Plan Amendment No. 165

Respecting:

**LANDS LOCATED AT 844 UPPER WENTWORTH STREET IN THE
BRULEVILLE NEIGHBOURHOOD**

The Council of The Corporation of the City of Hamilton enacts as follows:

1. Amendment No. 165 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 11th day of April A.D. 2000

MUNICIPAL CLERK

MAYOR

Amendment No. 165
to the
City of Hamilton Official Plan

The following text together with Schedule "B" – Special Policy Areas, attached hereto, constitutes Official Plan Amendment No. 165.

Purpose:

The purpose of this Amendment is to establish "Special Policy Area 84" for 844 Upper Wentworth Street, to permit an aesthetics and beauty salon in a residential designation.

Location:

The lands affected by this Amendment are known municipally as 844 Upper Wentworth Street, within the Bruleville Neighbourhood.

Basis:

The basis for permitting the proposed aesthetics and beauty salon, only within the existing building, is that the proposed uses are consistent with the established commercial development along Upper Wentworth Street in this vicinity.

Actual Changes:

- 1) Schedule "B" – Special Policy Areas – be revised by adding the subject lands as Special Policy Area 84, as shown on the attached Schedule "B" of this Amendment; and,
- 2) The following new policy be added to Subsection A.2.9.3 – Other Policy Areas as Policy A.2.9.3.79:

"In addition to the permitted uses set out in Subsection A.2.1 – Residential Uses, for those lands shown on Schedule "B" as SPECIAL POLICY AREA 84, and located at 844 Upper Wentworth Street, an aesthetics and beauty salon will be permitted, only within the existing building."

Implementation:

A Zoning By-law amendment will give effect to the intended use on the subject lands.

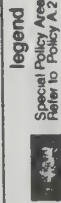
**The Corporation of the
City of Hamilton**

Municipal Clerk

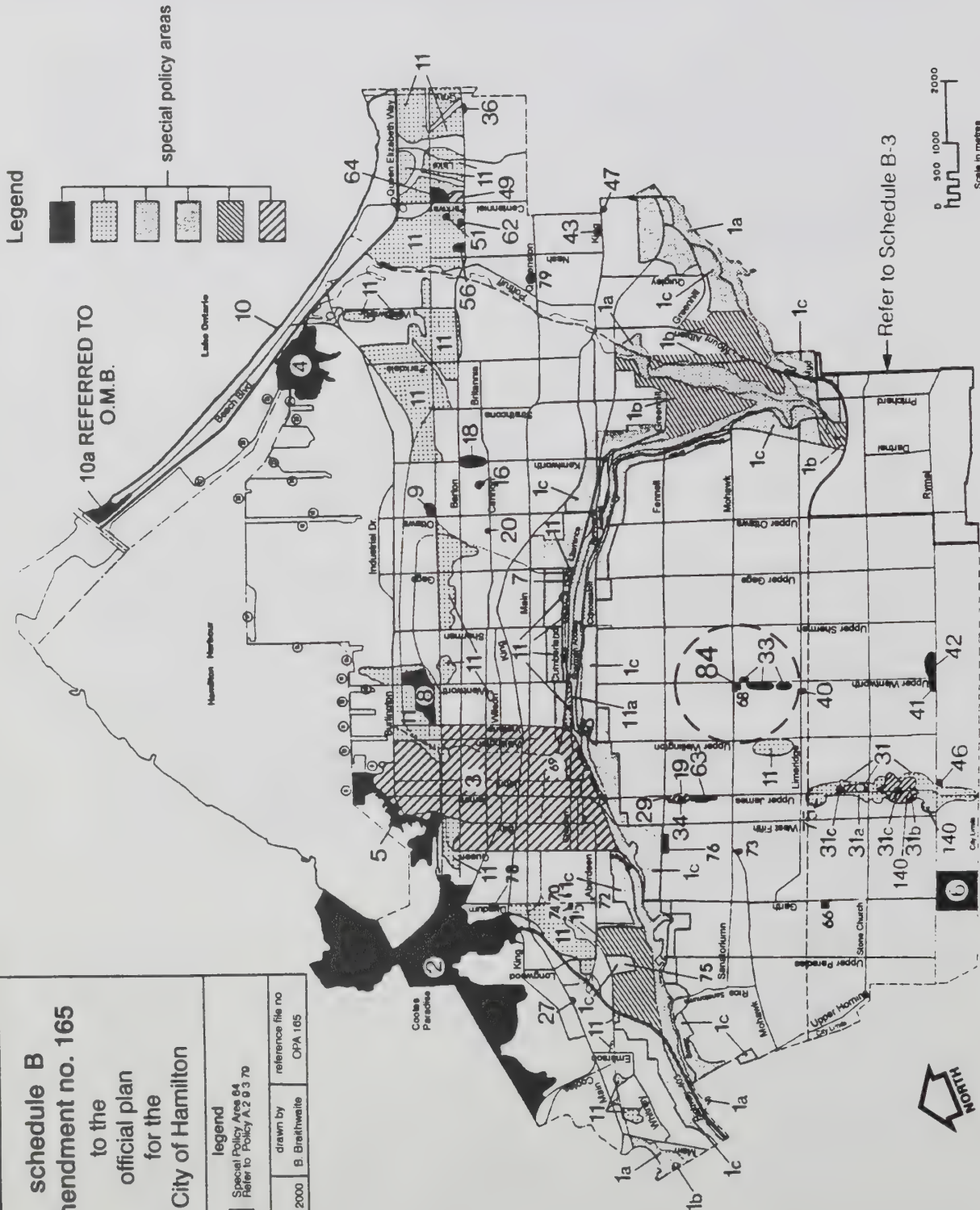
Mayor

schedule B **amendment no. 165** to the official plan for the City of Hamilton

date	drawn by	reference file no
JANUARY 2000	B. Braithwaite	OPA 165



legend
Special Policy Area 64
Refer to Policy A 2.9.3.70



Legend



special policy areas

10a REFERRED TO
O.M.B.

Refer to Schedule B-3

0 500 1000 2000
metres
Scale in metres

special policy areas

AREA	REFER TO POLICY	AREA	REFER TO POLICY
1(a)	A 2.9.1	62	A 2.9.3.67
1(b)	A 2.9.1	63	A 2.9.3.68
1(c)	A 2.9.1	64	A 2.9.3.69
2	A 2.9.2	65	A 2.9.3.70
3	A 2.9.3	66	A 2.9.3.71
4	A 2.9.3.1	67	A 2.9.3.72
5	A 2.9.3.2	68	A 2.9.3.73
6	A 2.9.3.3	69	A 2.9.3.74
7	A 2.9.3.4	70	A 2.9.3.75
8	A 2.9.3.5	71	A 2.9.3.76
9	A 2.9.3.6	72	A 2.9.3.77
10	A 2.9.3.7	73	A 2.9.3.78
11	A 2.9.3.8	74	A 2.9.3.79
11(a)	A 2.9.3.9	75	A 2.9.3.80
11(b)	A 2.9.3.10	76	A 2.9.3.81
11(c)	A 2.9.3.11	77	A 2.9.3.82
12	A 2.9.3.12	78	A 2.9.3.83
13	A 2.9.3.13	79	A 2.9.3.84
14	A 2.9.3.14	80	A 2.9.3.85
15	A 2.9.3.15	81	A 2.9.3.86
16	A 2.9.3.16	82	A 2.9.3.87
17	A 2.9.3.17	83	A 2.9.3.88
18	A 2.9.3.18		
19	A 2.9.3.19		
20	A 2.9.3.20		
21	A 2.9.3.21		
22	A 2.9.3.22		
23	A 2.9.3.23		
24	A 2.9.3.24		
25	A 2.9.3.25		
26	A 2.9.3.26		
27	A 2.9.3.27		
28	A 2.9.3.28		
29	A 2.9.3.29		
30	A 2.9.3.30		
31	A 2.9.3.31		
31(a)	A 2.9.3.32		
31(b)	A 2.9.3.33		
31(c)	A 2.9.3.34		
32	A 2.9.3.35		
33	A 2.9.3.36		
34	A 2.9.3.37		
35	A 2.9.3.38		
36	A 2.9.3.39		
37	A 2.9.3.40		
38	A 2.9.3.41		
39	A 2.9.3.42		
40	A 2.9.3.43		
41	A 2.9.3.44		
42	A 2.9.3.45		
43	A 2.9.3.46		
44	A 2.9.3.47		
45	A 2.9.3.48		
46	A 2.9.3.49		
47	A 2.9.3.50		
48	A 2.9.3.51		
49	A 2.9.3.52		
50	A 2.9.3.53		
51	A 2.9.3.54		
52	A 2.9.3.55		
53	A 2.9.3.56		
54	A 2.9.3.57		
55	A 2.9.3.58		
56	A 2.9.3.59		
57	A 2.9.3.60		
58	A 2.9.3.61		
59	A 2.9.3.62		
60	A 2.9.3.63		
61	A 2.9.3.64		
62	A 2.9.3.65		
63	A 2.9.3.66		

For other Special Policy Areas
numbers, refer to Schedules:
B-1, B-2, and B-3.

schedule B

to the official plan
for
the City of Hamilton

JANUARY 2000

The Corporation of the City of Hamilton

BY-LAW NO. 00-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 844 UPPER WENTWORTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 165, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon the applicant/owner applying for and receiving approval of a Site Plan Control Application from the City of Hamilton.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "C" District provisions.

3. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9.(1) of Zoning By-law No. 6593, the following uses shall be permitted:

- (i) an aesthetics and beauty salon only within the existing building;
- (ii) an unlighted name plate having an area of not more than 0.2 square metres attached to and, as nearly as practicable, flush with the wall of the dwelling; and,

- (b) a minimum 3.0 metre wide landscape strip, and a visual barrier of not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the westerly lot line; and,

- (c) a visual barrier of not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the northerly and southerly lot lines; and,
- (d) a minimum 1.38 metres wide landscape strip shall be provided and maintained along the easterly lot line except for any area used for vehicular access; and,
- (e) notwithstanding Section 18A.(1) of Zoning By-law No. 6593, not less than four (4) parking spaces shall be provided and maintained on the subject lands; and,
- (f) notwithstanding Section 18A.(7) of Zoning By-law No. 6593, a parking space length of not less than 5.8 metres shall be provided and maintained; and,
- (g) Section 18A.(14) of Zoning By-law No. 6593 shall not apply; and,
- (h) Section 18A.(26) of Zoning By-law No. 6593 shall not apply.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1438.

6. Sheet No. E-18 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1438.

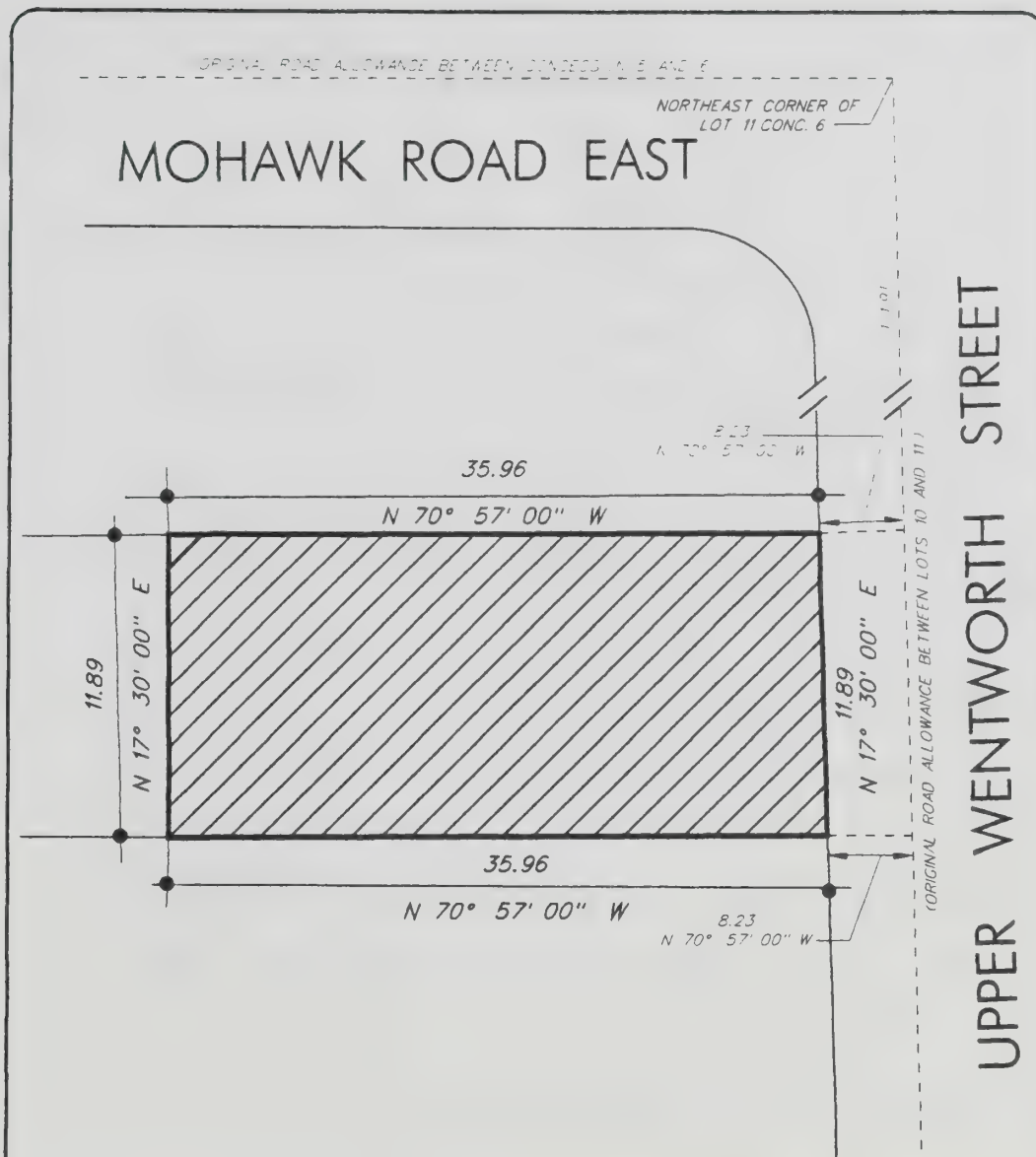
7. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 11th day of April A.D. 2000

ACTING MUNICIPAL CLERK

MAYOR

(2000) 02-00 R.P.D.C. 1, January 25
Skinder Shelly Sohol, Owner
Amended ZAC-99-26



This is Schedule "A" to By-Law No. 00 - _____
Passed the _____ day of _____, 00.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 00-_____

to Amend By-Law No. 6593

Community Planning and Development Division

Legend

Change in zoning from:

 "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, modified

North



Scale

NOT TO SCALE

Date

March, 2000

Reference File No.

ZAC-99-26

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 00-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT MUNICIPAL NO. 844 UPPER WENTWORTH STREET

WHEREAS By-law No. 79-275, passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 98-173, passed on the 30th day of June 1998, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

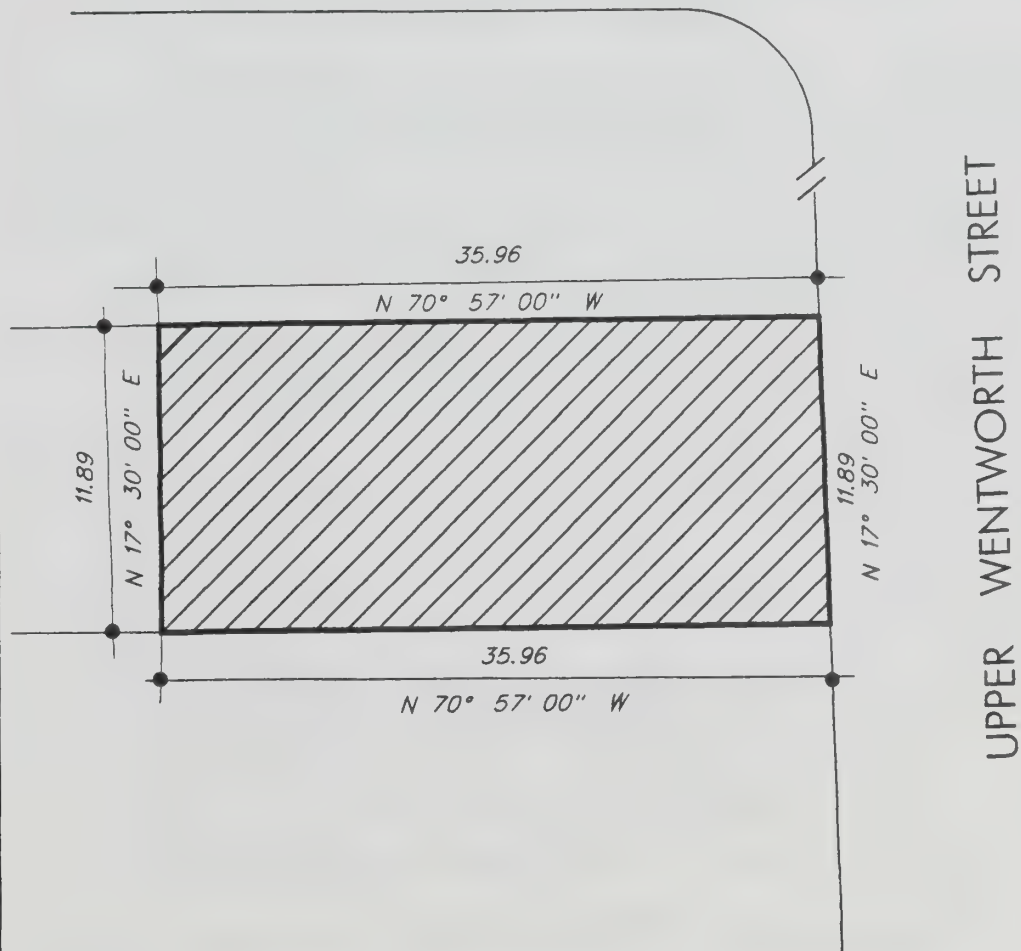
1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:
 182. Land located at Municipal No. 844 Upper Wentworth Street, shown on Appendix 182 hereto annexed and forming part of this by-law.
2. Appendix 182 to By-law No. 79-275 is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275, as amended.

PASSED this 11th day of April A.D. 2000

CLERK

MAYOR

MOHAWK ROAD EAST



NOTE: All dimensions are in metres

Clerk

Mayor

City of Hamilton

Appendix 182

to the By-Law No. 79-275
as amended by By-Law No.

Community Planning and Development Division

Legend



Lands designated under this
By-Law as an area of Site
Plan Control pursuant to section
41 of the Planning Act, R.S.O. 1990



Scale
NOT TO SCALE

Date
March, 2000

Reference File No.

ZAC-99-26

Drawn By

B. B.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO APPOINT AN ADDITIONAL TEMPORARY ACTING CLERK FOR THE
CORPORATION OF THE CITY OF HAMILTON

WHEREAS subsection 73(3) of the Municipal Act, R.S.O. 1990, c.M.45, as amended, provides that Council may appoint a Temporary Acting Clerk when the office of Clerk is vacant or the Clerk is unable to carry on his duties through illness or otherwise;

AND WHEREAS on March 21, 2000, the Council of the Corporation of the City of Hamilton enacted By-Law No. 00-042 to appoint Mr. Kevin C. Christenson and Mr. Darryl J. Lee as Temporary Acting Clerks;

AND WHEREAS it is convenient and in the interest of the efficient conduct of the business of the said Corporation to appoint Ms. Susan Reeder to exercise the powers and duties of the Clerk, in the absence of Mr. Kevin C. Christenson and Mr. Darryl J. Lee;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. By-law No. 00-042 is amended by adding the following section after section 2:
 - 2a. Ms. Susan Reeder is appointed as Temporary Acting Clerk in the absence of Mr. Kevin C. Christenson and Mr. Darryl J. Lee, and shall then have all the powers and duties of the Clerk, whenever Mr. Kevin C. Christenson and Mr. Darryl J. Lee are unable to carry out their duties through illness or for other reasons.
2. This By-law comes into force and effect on the date that it is enacted.

PASSED AND ENACTED THIS 11TH DAY OF April, 2000.

Acting Municipal Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and Municipal Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 11th day of April 2000 , A.D.,

ACTING MUNICIPAL CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

1) PROPERTY ADDRESS	78 REGENT AVE.
SERIAL NUMBER	08 10410 4900
REDEMPTION DATE	DECEMBER 22, 2000
2) PROPERTY ADDRESS	81 ERIN AVE.
SERIAL NUMBER	05 03620 5090
REDEMPTION DATE	DECEMBER 7, 2000
3) PROPERTY ADDRESS	19 ORCHARD HILL
SERIAL NUMBER	01 00830 0990
REDEMPTION DATE	DECEMBER 22, 2000
4) PROPERTY ADDRESS	30 KING ST. E.
SERIAL NUMBER	02 01515 0160
REDEMPTION DATE	OCTOBER 14, 2000

THE CORPORATION OF THE CITY OF HAMILTON
BY-LAW NO. 00-

TO AMEND CITY OF HAMILTON LICENSING BY-LAW 93-203 RESPECTNG
BILLIARD PARLOUR LICENCES

NOW THEREFORE the Council of the The Corporation of the City of Hamilton enacts as follows:

1. Schedule 8 of By-Law No. 98-203, being the City of Hamilton Licensing Code, 1998, is amended by repealing section 2 thereof and substituting the following:
 - 2.(1) No person shall for profit or gain, and no proprietary club shall, directly or indirectly, keep or have any billiard, pool, or bagatelle table on or about the premises which the person or club controls, Including a house or place of public entertainment or resort, without a licence entitling the person to do so.
 - (2) Subsection 2(1) does not apply to a restaurant or public hall licensed under this By-law, where not more than two billiard, pool, or bagatelle tables are located on or about the premises, and the use of such tables is incidental to the principal business of the restaurant or public hall.
2. This By-Law comes into force on the date that it is passed.

PASSED this 11th day of April , 2000.

Acting Municipal Clerk

Mayor

BY-LAW NO. 00 -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 11TH DAY OF APRIL, 2000.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 11TH day of APRIL

A.D. 2000

MUNICIPAL CLERK

MAYOR



CAY ON HBL AGS
A31
2000

AGENDA

CITY OF HAMILTON CITY COUNCIL

**Tuesday, April 25, 2000
7:30 p.m.**

**Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton**

Hamilton Public Library
Urban/Municipal Collection
2nd Floor, 55 York Boulevard
Hamilton, Ontario L8K 3K1
1 BILL

URBAN MUNICIPAL

**Kevin C. Christenson,
Acting Municipal Clerk**

MAY 19 2000

CALL TO ORDER

GOVERNMENT DOCUMENTS

1. NATIONAL ANTHEM.

2. OPENING PRAYER: Father Francisco Janeiro, St. Mary's Church

3. PRESENTATIONS

3.1 Keep Hamilton Clean Committee

3.2 Hamilton Power Bladers In-Line Hockey Association
1999 Provincial & International Champions

4. ADOPTION OF THE MINUTES OF THE MEETINGS HELD:

4.1 April 11, 2000 (regular)

4.2 April 18, 2000 (special)

5. CORRESPONDENCE.

6. REPORTS OF THE STANDING COMMITTEES:

6.1 Finance and Administration Committee – Report 10-00

6.2 Joint Budget Steering Committee – Report 01-00 (copy to follow)

7. NOTICE OF MOTION FOR NEXT MEETING.

8. MOTION to appoint Alderman B. Kelly as Acting Mayor for May, 2000

9. QUESTION PERIOD.

10. ADJOURNMENT

MINUTES



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, April 11, 2000
7:30 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan

Mayor R. M. Morrow called the meeting to order.

The National Anthem was played.

Imam Abdur Raouf Sanni, Islamic Mosque, led Council in prayer.

PRESENTATIONS

Mayor R. M. Morrow presented Certificates of Recognition to the Hamilton Wildcats Minor Bantam Boys Basketball Team who won the "AAA" Provincial Championship.

Mayor R. M. Morrow presented Certificates of Recognition to the Hamilton Transway Atom Girls Basketball Team who won the "AAA" Provincial Championship.

Mayor R. M. Morrow presented Certificates of Recognition to the Hamilton Special Olympics Figure Skating for winning the 2000 National and Provincial Championships. In attendance were: Julie Burdis, David Mullally and Nicki Turner.

ADOPTION OF MINUTES

The Minutes of the meetings held March 28, 2000 (regular) and March 30, 2000 (special) were adopted as circulated.

CORRESPONDENCE

1. Application dated March 31, 2000 from Locane Holdings Inc., 550 Fennell Avenue East, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential, One and Two Family Dwellings, etc.) District, modified for 12-14 Brantdale Avenue, Hamilton.

Received.

2. Application dated April 4, 2000 from M.C.G.W. Properties Corp., 130 Dearborn Place, Waterloo for a modification to the "HH" (Restricted Community Shopping and Commercial etc.) District for 544 Limeridge Road East, Hamilton, Ontario.

Received.

3. Letter dated April 10, 2000 from Terry Stortz respecting Cash-in-lieu of parking for 210-214 Locke Street South, Hamilton. This item is also referred to in Section 6 of Report 07-00 of the Planning and Development Committee.

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Hamilton-Scourge Steering Committee, the City of Hamilton Licensing Committee, and the Grants Committee, be now considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE – REPORT 06-00

Section 7 Re: Committee of Adjustment – Brampton Street

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Copps. -1.

CARRIED.

PARKS AND RECREATION COMMITTEE – REPORT 06-00

Section 3 Re: Ivor Wynne Stadium

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Eisenberger, Collins, Kelly, D'Amico, O'Sullivan. –12.

NAYS: Aldermen Copps, Wilson, Charters, Jackson, Anderson. -5. **CARRIED.**

Section 8 Re: Aquafest

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. –16.

NAYS: Alderman Jackson. -1.

CARRIED.

Section 10 Re: Taste of Hamilton

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

* * * * *

Section 14 Re: Scott Park Hockey

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

<p>PLANNING AND DEVELOPMENT COMMITTEE – REPORT 07-00</p>

Section 6 (a) Re: 210-214 Locke Street South – Cash-in-Lieu of Parking

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

<p>PLANNING AND DEVELOPMENT COMMITTEE – REPORT 08-00</p>

Section 4 Re: R.R.A.P.

It was moved by Alderman Horwath and seconded by Alderman Corsini that Item 4 of Report 08-00 of the Planning and Development Committee be amended by adding the following after the word "RRAP" in the second line:

"and downtown Grant and Loan Programs for conversion to residential and façade improvements."
CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 08-00

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 09-00

Section 1 Re: 74 Hughson Street South

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: Aldermen Caplan, Eisenberger. - 2.

CARRIED.

HAMILTON-SCOURGE STEERING COMMITTEE – REPORT 01-00

CITY OF HAMILTON LICENSING COMMITTEE - REPORT 03-00

GRANTS COMMITTEE – REPORT 02-00

Section 1 (b) (i) Grants

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Haining. -1.

CARRIED.

* * * * *

Section 1 (b) (ii) Grants

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Haining. -1.

CARRIED.

* * * * *

Section 1 (b) (iv) Grants

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Haining. -1.

CARRIED.

* * * * *

Section 1 (b) (v) Grants

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -16.

NAYS: Alderman Haining. -1.

CARRIED.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Hamilton-Scourge Steering Committee, the City of Hamilton Licensing Committee, and the Grants Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

Note: The meeting adjourned at 9:15 p.m.
--

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**Kevin C. Christenson,
Acting Municipal Clerk
April 11, 2000
KCC/dg**



MINUTES

CITY OF HAMILTON COMMITTEE OF THE WHOLE\CITY COUNCIL

Tuesday, April 18, 2000

7:50 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini,
D. Haining, B. Morelli, D. Wilson, G. Copps,
C. Collins, T. Anderson, D. O'Sullivan.

Absent:

Alderman F. Eisenberger – Regional business
Alderman B. Charters – City business
Alderman T. Jackson – City business
Alderman B. Kelly – City business
Alderman F. D'Amico – City business

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Caplan that Rule No. 3(d) of the City Procedural By-law respecting the notice required for calling a special meeting of City Council be waived. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that Council move into Committee of the Whole to consider the report of the Committee of the Whole respecting the Transition Boards discussion of Hamilton Hydro Monies with Mayor R. Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Haining, Morelli, Copps, Wilson, Collins, Anderson, O'Sullivan. -12.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE – REPORT 01-00

Transition Board discussion of Hamilton Hydro Monies; and
Adoption of Bill E-006 – Confirming By-law

Mayor R. M. Morrow introduced Tom Gustafson, Attorney at Law and former speaker of the Florida State Legislature. Mr. Gustafson addressed the Council.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole, be adopted. **CARRIED.**

* * * * *

Hamilton City Council then adjourned at 8:15 p.m.

* * * * *

Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**K. C. Christenson, Acting Municipal Clerk
April 18, 2000
KCC/dg**



REPORT

CITY OF HAMILTON COMMITTEE OF THE WHOLE

Tuesday, April 18, 2000

7:50 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

THE COMMITTEE OF THE WHOLE PRESENTS REPORT 01-00 AND
RESPECTFULLY RECOMMENDS:

1. **Hamilton Hydro Restructuring Revenue**

- (a) That the City retain an outside consultant (separate than that being provided to the Transition Board) to provide a legal opinion and advice regarding the Transition Board's decision as stated in correspondence dated April 18, 2000 regarding Hydro restructuring revenues; and
- (b) That staff report back on the financial implications on the Transition Board decision.

2. **Hamilton Hydro Restructuring Revenue**

That City Council appeal to the Ministry of Municipal Affairs to clarify as soon as possible, the terms of reference of the Transition Board as it pertains to the Transition Board's recent opinion respecting the 9 Million Dollar Hydro Restructuring Revenue.

3. **Bill E-006: Confirming By-law**

That the following Bill be adopted, signed, sealed and enrolled as a By-law

E-006 A By-law to Confirm the Proceedings of The Council of the Corporation of the City of Hamilton.

**Mayor R. M. Morrow, Chairman
Committee of the Whole**

**Kevin C. Christenson, Secretary
April 18, 2000**

CORRESPONDENCE

Correspondence:

1. Application dated March 7, 2000 from Visplar Holdings, 5803 Yonge Street, North York for the removal of the "H" Holding Provision – Tiffany Park.

Recommendation: Be received.

2. Application dated April 13, 2000 from 1136193 Ontario Inc., 966 Old Mohawk Road West, Ancaster for the removal of the "H" Holding Provision – 649 Upper James Street, Hamilton

Recommendation: Be received

FINANCE & ADMINISTRATION
COMMITTEE



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, April 18, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:

City Finance and Administration Committee

Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Mayor R. Morrow, Aldermen M. Caplan, A. Horwath, C. Collins.

Regrets:

Alderman D. Haining – City business
Alderman B. Charters – City business
Alderman B. Kelly – City business

Region Finance and Administrative Services Committee

Councillor D. Wilson (Acting Chairman), Councillors D. O'Sullivan, R. Powers, M. Kiss, M. Caplan, A. Sloat

Regrets:

Councillor B. Charters, Chairman – City business
Mayor G. Etherington, Vice-Chairman – Personal business
Councillor F. D'Amico – City business
Councillor B. Kelly – City business
Mayor A. Bain – City business

Also present:

Councillors T. Anderson, G. Copps
J. Bruzzese, A. Ross, L. Bourns, E. Holt, M. Kay, J. Gosnach,
P. Meredith, K. Beattie, S. Reeder

Alderman D. Wilson, Chairman called the meeting to order.

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 10-00 AND RESPECTFULLY RECOMMENDS:

1. **Retirement Eligibility Extension (HUR00006)(Item 7)**

That the early retirement date for Annie Holmes (Labour Relations Officer) be extended to August 31, 2000.

2. Authorization to enter into Extension Agreements on specific properties for the payment of realty tax arrears (FIN00043)(Item 11)

- (a) That the City be authorized to enter into Extension Agreements, if required, in a form satisfactory to the Corporate Counsel and the General Manager, Finance pursuant to Section 8 of the Municipal Tax Sales Act, with the following owner to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on June 28, 1994; and,
 - (i) 84 Fairfield Avenue North
- (b) That the required Extension Agreement By-law be enacted by Council; and,
- (c) That the Mayor and Acting Municipal Clerk be authorized to execute the aforesaid By-law and Extension Agreements.

3. Hamilton SPCA – Animal Control Fees (CM0012)(New Business #3)

- (a) That the fees charged for the impounding and care of dogs and cats and the annual licence fees for licensing dogs be increased as set out on the Schedule attached herewith and marked Appendix "A"; and,
- (b) That the amending By-law be enacted by City Council; and,
- (c) That this matter be referred to the Transition Board for approval.

4. HSPCA Line of Credit (FIN00046)(New Business #4)

- (a) That a Line of Credit be established with a maximum limit of \$400,000. for the Hamilton Society for the Prevention of Cruelty to Animals (HSPCA) to be available until December 31, 2001; and,
- (b) That annual repayments beginning December 31, 2002 through to and including December 31, 2004 on the outstanding balance of the Line of Credit commence at no interest unless repayments are in default, thereupon the rate of interest would be equivalent to that earned by the funding reserve; and,
- (c) That this Line of Credit be financed from the Reserve for Contingency; and,

- (d) That an agreement be executed with the concurrence of the General Manager, Finance and in a form satisfactory to Corporate Counsel; and,
- (e) That inasmuch as the term of this agreement covers the period through to December 31, 2004, this matter be referred to the Transition Board appointed under the City of Hamilton Act for approval, as required by Regulation 101/00.

5. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) D-019 A By-law to authorize an Extension Agreement for payment of realty tax arrears
- (b) D-020 A By-law to amend By-law No. 85-148 and By-law No. 86-343 respecting Animal Control and Licencing
- (c) D-021 A By-law to confirm the proceedings of the Council of the Corporation of the City of Hamilton.

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest (Item 1)**

None declared.

(b) **Adoption of Minutes- Tuesday, April 4, 2000 (Item 6)**

The Minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on Tuesday, April 4, 2000 were adopted.

(c) **Adoption of Minutes – Special Meeting – Tuesday, April 11, 2000 (Item 10)**

The Minutes of the special meeting of the City Finance and Administration Committee held on Tuesday, April 11, 2000 were adopted.

(d) **Cell Phone use in the Council Chambers (New Business #1)**

The Committee agreed to request that the Acting Municipal Clerk report back on a proposed policy that would ban the use of cell phones in the Council Chambers.

(e) **Monthly Meetings** (New Business #2)

It was agreed that meetings would be scheduled for once a month, instead of twice a month if there were only a few agenda items to consider.

(f) **Information Items** (Item 12.1)

The Committee received an Information Report from the General Manager, Community Services dated April 10, 2000 entitled "National Emergency Preparedness Week – May 1 – 7, 2000 (CSC00064)

(g) **Sale of Dog Licences** (New Business #5)

The Committee directed that staff report back to the May 16th meeting on By-law changes to be made to require that licence requirements are enforced at the point of sale.

(h) **Lease changes - Hamilton Farmers Market stalls** (New Business #6)

The Committee directed that staff report back on lease changes at the Hamilton Farmers Market stalls.

(i) **Transition Board - Hamilton Hydro Revenues - City 2000 Current Budget** (New Business #7)

The Committee requested that the Mayor ask the Transition Board to defer on making a decision with respect to the above in order that a presentation can be made by the City to the Transition Board on this matter.

The Committee also requested that the Mayor call a Special Meeting of City Council, immediately following Regional Council on Tuesday, April 25, 2000 in order to discuss the City's position on this issue.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 10:30 a.m.

Alderman D. Wilson, Chairman
City Finance and Administration Committee

Susan K. Reeder, Legislative Assistant
April 18, 2000

SCHEDULE 1

IMPOUNDING FEES

<u>Dog</u>	<u>new fee</u>	<u>current fee</u>
First Occurrence		
Impound fee – first day - licensed	\$30.00	\$26.00
Impound fee – first day – unlicensed	\$60.00	\$32.00
Care – additional days	\$15.00	\$7.00
Second and Subsequent Occurrences		
Impound fee – first day - licensed	\$60.00	\$30.00
Impound fee – first day – unlicensed	\$120.00	\$30.00
Care – additional days	\$15.00	\$7.00
<u>Cat</u>		
First Occurrence		
Impound fee – first day	\$30.00	\$20.00
Care – additional days	\$10.00	\$5.00
Second and Subsequent Occurrences		
Impound fee – first day	\$50.00	\$20.00
Care – additional days	\$10.00	\$5.00

LICENSING FEES

	<u>New Fee</u>	<u>Current Fee</u>
Altered dog	\$21.00	\$21.00
Unaltered dog	\$61.00	\$41.00
Senior - Altered dog	\$6.00	\$6.00
Senior - Unaltered dog	\$18.00	\$11.00

JOINT CITY/REGION
BUDGET STEERING COMMITTEE
(copy to follow)



BILLS

CITY OF HAMILTON CITY COUNCIL

**Tuesday, April 25, 2000
7:30 p.m.**

**Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton**

- D-019 A By-law to authorize an extension agreement for payment of Realty Tax Arrears.
- D-020 A By-law to amend By-law No. 85-148 and By-law No. 86-343 respecting Animal Control and Licencing.
- D-021 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and Municipal Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 25th day of April 2000 , A.D.,

ACTING MUNICIPAL CLERK

ACTING MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

1) PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

84 Fairfield Ave. N.
04 00325 7970
DECEMBER 7, 2000

- (a) that the Extension Agreement does not reduce the amount of the Cancellation Price.
 - (b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.
 - (c) that any person may pay the Cancellation Price at any time.
 - (d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.
 - (e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.
3. As also provided in the Municipal Tax Sales Act,
- (a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.
 - (b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this 25th day of April 2000 , A.D.,

ACTING MUNICIPAL CLERK

ACTING MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

1) PROPERTY ADDRESS
SERIAL NUMBER
REDEMPTION DATE

84 Fairfield Ave. N.
04 00325 7970
DECEMBER 7, 2000

The Corporation of the City of Hamilton

BY-LAW NO. 00-

To Amend:

By-law No. 85-148 and By-law No. 86-343

Respecting:

ANIMAL CONTROL AND LICENCING

WHEREAS By-law no. 85-148, passed on the 30th day of July 1985, provides for the control and licensing of dogs and By-law No. 86-343, passed on December 9, 1986 provides for the regulation and control of cats;

AND WHEREAS section 11 of By-law No. 85-148, as amended by By-law 85-215, passed on the 8th day of October, 1985, and section 9 of By-law 86-343 provide for the charging of impounding fees;

AND WHEREAS City Council, on April 25, 2000, directed that the By-laws be amended to reflect increased impounding fees for 2000 and thereafter;

AND WHEREAS City Council, on December 8, 1998, directed that section 20 of By-law No. 85-148, as amended, be amended to reflect increased licence fees for 1999;

AND WHEREAS City Council, on April 25, 2000, directed that section 20 of By-law No. 85-148 be amended to reflect increased fees for 2000 and thereafter;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Section 9 to By-law No. 86-343 as amended, is repealed and the following is substituted therefor:

9. Where a cat has been impounded, the owner shall

- (a) pay a pound fee of \$30.00 to the Hamilton S.P.C.A. for the first day and \$10.00 for any additional day or part thereof that the cat remains in custody. For any second or subsequent impounding, the owner shall pay a pound fee of \$50.00 for the first day and \$10.00 for any additional day or part thereof that the cat remains in custody.
- (b) pay any veterinarian fees incurred by the Hamilton S.P.C.A.

2. Sections 11 and 12 to By-law 85-148, as amended, are repealed and the following is substituted therefor:

11. Where a dog is claimed, the owner shall provide proof of ownership of the dog, and

- (a) for a dog for which a current year's dog licence has not been issued, pay a pound fee of \$60.00 for the first day and \$15.00 for any additional day or part thereof that the dog remains in custody and shall also forthwith procure a licence for such dog. For any second or subsequent impounding, the owner shall pay a pound fee of \$120.00 for the first day and \$15.00 for any additional day or part thereof that the dog remains in custody and shall also forthwith procure a licence for such dog.

- (b) for a dog for which a current year's licence has been issued, pay a pound fee of \$30.00 for the first day and \$15.00 for any additional day or part thereof that the dog remains in custody.
- (c) for a vicious dog, pay a pound fee of \$200.00 for the first day and \$50.00 for any additional day or part thereof that the dog remains in custody.

12. Where the owner of a dog does not claim the dog, the owner shall, when known to the poundkeeper, pay the fees as set out in section 11 hereof.

3. By-law 85-148 as amended, being a by-law to control and licence dogs, is hereby further amended by repealing and replacing sections 19, 20 and Schedule "A" with the following;

19.(1) Every dog owner, except an owner or operator of a kennel owner in respect of the dogs boarded in the kennel, shall obtain and maintain in good standing a licence and tag for each dog owned and shall affix the dog tag to the dog for which it was obtained.

(2) No licence or tag is valid under this by-law unless the fees required to be paid have been paid in full.

(3) A person required to have a licence under (1), shall make application for a dog licence and pay the fee prescribed for each dog owned, and shall provide to the licensing agent:

- (a) identification of the owner,
- (b) the name and a description of the dog sufficient to identify the dog,
- (c) the date the dog was acquired accompanied by a receipt for the acquisition or other proof satisfactory to the licensing agent, and
- (d) such other information as may be required to issue a licence on the application or forms provided by the licensing agent.

(4) The applicant for a dog licence may apply for either a one or two year licence for a dog, and when applying for a two year licence shall pay double the fees prescribed in section 20 less the sum of \$2.00 upon application or renewal of a licence.

(5) A dog licence and tag paid for and issued under this by-law shall expire on the following dates occurring after the date of issue of the licence:

- (a) For an individual who has acquired a one year licence, on the anniversary date of the issuance of the first licence obtained for the dog under this by-law.
- (b) For an individual who has acquired a two year licence, on the second anniversary date of the issuance of the first licence obtained for the dog under this by-law.

(6) For the purposes of the renewal of a dog licence, the renewal date shall be the anniversary date of the issuance of the first licence for the particular dog.

(7) In the event an owner fails to obtain a valid licence prior to the expiry of a current licence, an additional late payment fee of \$15.00 shall be paid at the time of issuance of a new licence in addition to any fee prescribed by Schedule "A" hereto.

20. A licence fee shall be paid to the licensing agent at the time the licence is issued in accordance with Schedule "A" hereto annexed and forming part of this By-law.

Schedule "A"

(Section 20)

(1) Where a licence is issued during the period from January 1, 1999 to April 25, 2000:

- | | | |
|----|--|---------|
| 1. | One spayed or neutered dog | \$21.00 |
| 2. | Each additional spayed or neutered dog | \$21.00 |
| 3. | One not spayed or neutered dog | \$41.00 |
| 4. | Each additional spayed or neutered dog | \$41.00 |

(2) Notwithstanding subsection (1) of this Schedule, where a licence is issued to a dog owner who aged 65 or over during the period from January 1, 1999 to April 25, 2000:

- | | | |
|----|--|---------|
| 1. | One spayed or neutered dog | \$6.00 |
| 2. | Each additional spayed or neutered dog | \$6.00 |
| 3. | One not spayed or neutered dog | \$11.00 |
| 4. | Each additional spayed or neutered dog | \$11.00 |

(3) Where a licence is issued on or after April 25, 2000:

- | | | |
|----|--|---------|
| 1. | One spayed or neutered dog | \$21.00 |
| 2. | Each additional spayed or neutered dog | \$21.00 |
| 3. | One not spayed or neutered dog | \$61.00 |
| 4. | Each additional spayed or neutered dog | \$61.00 |

(4) Notwithstanding subsection (3) of this Schedule, where a licence is issued to a dog owner who aged 65 or over after April 25, 2000:

- | | | |
|----|--|---------|
| 1. | One spayed or neutered dog | \$6.00 |
| 2. | Each additional spayed or neutered dog | \$6.00 |
| 3. | One not spayed or neutered dog | \$18.00 |
| 4. | Each additional spayed or neutered dog | \$18.00 |

4. THAT this by-law shall come into force and take effect on January 1, 1999.

PASSED AND ENACTED this 25th day of April, 2000.

Acting Mayor

Acting Municipal Clerk

BY-LAW NO. 00-

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 25th DAY OF April, 2000.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 25th day of April

A.D. 2000

ACTING MUNICIPAL CLERK

ACTING MAYOR



AGENDA

CITY OF HAMILTON CITY COUNCIL

Tuesday, May 9, 2000

7:30 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Hamilton Public Library
Urban/Municipal Collection
2nd Floor, 55 York Boulevard
Hamilton, Ontario L8K 3K1
1 BILL

URBAN MUNICIPAL

Kevin C. Christenson,
Acting Municipal Clerk

MAY 13 2000

CALL TO ORDER

GOVERNMENT DOCUMENTS

1. NATIONAL ANTHEM.

2. OPENING PRAYER: Rev. Barrie Bain, St. Giles United Church

3. PRESENTATIONS

3.1 Oscar Kichi – Ramada Hotel

3.2 John Elder – Music Festival - 1999 Executive of the Year Award

3.3 Mundialization Committee

3.4 Ontario Museums Association

3.5 Blessed Sacrament Minor Bantam Boys Basketball Team
2000 Provincial "A" Champions

4. ADOPTION OF THE MINUTES OF THE MEETINGS HELD:

4.1 April 25, 2000 (Regular); and

4.2 May 2, 2000 (Special)

5. CORRESPONDENCE.

6. REPORTS OF THE STANDING COMMITTEES:

6.1 Transport and Environment Committee – Report 08-00

6.2 Parks and Recreation Committee – Report 07-00

6.3 Planning and Development Committee – Report 09-00

**City Council
Agenda**

- 2 -

- 6.4 Finance and Administration Committee – Report 11-00**
- 6.5 City of Hamilton Licensing Committee – Report 04-00**

- 7. NOTICE OF MOTION FOR NEXT MEETING.**
- 8. QUESTION PERIOD.**
- 9. ADJOURNMENT**

MINUTES



MINUTES

CITY OF HAMILTON CITY COUNCIL

Tuesday, April 25, 2000
7:30 p.m.
Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman B. Charters, Acting Mayor;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, G. Copps, D. Wilson, C. Collins, F. Eisenberger,
T. Jackson, B. Kelly, F. D'Amico, D. O'Sullivan

Absent: Mayor R. M. Morrow – Civic Business
Alderman T. Anderson – Regional Business

Acting Mayor B. Charters called the meeting to order.

The National Anthem was played.

Father Francisco Janeiro, St. Mary's Church led Council in prayer.

PRESENTATIONS

Acting Mayor Charters recognized the Keep Hamilton Clean Committee who had declared May 1 to 7 as Pitch-In-Week.

Acting Mayor Charters presented Certificates of Recognition to the Hamilton Power Bladers In-Line Hockey Association for winning the 1999 Provincial and International Championships.

ADOPTION OF MINUTES

The Minutes of the meetings held April 11, 2000 (Regular) and April 18, 2000 (Special) were adopted as circulated.

CORRESPONDENCE

1. Application dated March 7, 2000 from Visplar Holdings, 5803 Yonge Street, North York for the removal of the "H" Holding Provision – Tiffany Park.

Received.

2. Application dated April 13, 2000 from 1136193 Ontario Inc., 966 Old Mohawk Road West, Ancaster for the removal of the "H" Holding Provision – 649 Upper James Street, Hamilton

Received.

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Finance and Administration Committee, and the Joint Budget Steering Committee, be now considered in Committee of the Whole with Alderman Collins in the chair.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Copps, Wilson, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. –15.

NAYS: -0.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - REPORT 10-00

Section 4 H.S.P.C.A.

It was moved by Alderman O'Sullivan and seconded by Alderman Jackson that Section 4 of Report 10-00 of the Finance and Administration Committee be amended to add the following as sub-section (f)

"(f) That the H.S.P.C.A. report back to the Finance and Administration Committee when the \$200,000 threshold is reached and what this amount was used for."

CARRIED.

Section 4 Re: H.S.P.C.A. – Line of Credit

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. –14.

NAYS: Alderman Copps. –1

CARRIED.

JOINT BUDGET STEERING COMMITTEE - REPORT 01-00

RESOLUTIONS

Rule No. 9 Re: Temporary installation of Public Art on City-owned lands for the Zone 6B: Art in the Environment Project.

It was moved by Alderman Horwath and seconded by Alderman Morelli that Rule No.9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the temporary installation of Public Art on City-owned lands for the Zone 6B: Art in the Environment Project.

CARRIED.

* * * * *

Re: Temporary installation of Public Art on City-owned lands for the Zone 6B: Art in the Environment Project.

It was moved by Alderman Copps and seconded by Alderman Morelli that

- (a) That the Zone 6B: Art in the Environment Project, be authorized to install five temporary public art pieces on City-owned property in the following locations from June 21 – September 4, 2000:

Bayfront Park (natural graded amphitheatre facing west to beach)
Churchill Park inside former Teaching Garden Compound
Gage Park (in perennial gardens on either side of fountain)
Sam Lawrence Park (N.E. facing Jolley Cut)
York St. Bridge (land on either side of York Blvd. on Hamilton side, and in the sculptural niches); and,

- (b) That the costs of installation, maintenance and dismantling be the responsibility of the Zone 6B: Art in the Environment Project; and,
- (c) That appropriate Staff be consulted prior to installation. **CARRIED.**

* * * * *

Rule No. 9 Re: Temporary installation of Public Art on City-owned lands by the Art Gallery of Hamilton.

It was moved by Alderman Horwath and seconded by Alderman Morelli that Rule 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the temporary installation of Public Art on City-owned lands by the Art Gallery of Hamilton. **CARRIED.**

* * * * *

Re: Temporary installation of Public Art on City-owned lands by the Art Gallery of Hamilton.

- (a) That the Art Gallery of Hamilton be authorized to install two temporary steel markers with the wording "Hidden Historic and Invisible Stories" at the following City-owned locations from June 21 - September 4, 2000:

Wellington Park
Eastport and Beach Blvd.; and,

- (b) That costs for installation, maintenance and dismantling be the responsibility of the Art Gallery of Hamilton; and,
- (c) That appropriate Staff be consulted prior to installation. **CARRIED.**

ACTING MAYOR FOR THE MONTH OF MAY, 2000
--

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman B. Kelly be appointed Acting Mayor for the month of May, 2000. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Report of the Finance and Administration Committee, the Joint Budget Steering Committee, and resolutions, be adopted.

Recorded vote.

YEAS: Acting Mayor Charters, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Kelly, D'Amico, O'Sullivan. -15.

NAYS: -0.

CARRIED.

Note: The meeting adjourned at 8:35 p.m.
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Taken as read and approved.

**MAYOR R. M. MORROW
CHAIRMAN**

**Kevin C. Christenson, Acting Municipal Clerk
April 25, 2000
KCC/dg**



MINUTES

CITY OF HAMILTON SPECIAL MEETING OF CITY COUNCIL

Tuesday, May 2, 2000
9:45 p.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present: Mayor R. Morrow, Chairman;
Aldermen M. Kiss, M. Caplan, A. Horwath, R. Corsini, B. Morelli,
D. Haining, D. Wilson, G. Copps, C. Collins, F. Eisenberger,
T. Jackson, B. Charters, T. Anderson, B. Kelly, F. D'Amico,
D. O'Sullivan

Mayor R. M. Morrow called the meeting to order.

It was moved by Alderman Kiss and seconded by Alderman Copps that Council move into Committee of the Whole to consider the report of the Transport and Environment Committee be now considered in Committee of the Whole with Mayor R. Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Horwath, Corsini, Morelli, Haining, Wilson, Copps, Eisenberger, Collins, Jackson, Charters, Anderson, Kelly, D'Amico, O'Sullivan. -17.

NAYS: -0.

CARRIED.

RULE NO. 9**Rule No. 9 Re: Rennie Street Closed Landfill Financing**

It was moved by Alderman Wilson and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to allow the introduction of a motion respecting Rennie Street Closed Landfill Financing. **CARRIED.**

* * * * *

Re: Rennie St. Landfill design and construction of a leachate collection system

- (a) That as referred to in Section 1 of Report 07-00 of the Transport and Environment Committee, the increased cost for the closed Rennie Street Landfill design and construction of a leachate collection system of \$480,000 (to a maximum cost of \$1,100,000) be funded from the City's Tax Stabilization Reserve (Account No. 104055); and,
- (b) That this request is subject to approval by the Transition Board.

CARRIED.

* * * * *

Bill D-022: A By-law to Confirming the Proceedings of the Council.

It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-022: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of the Transport and Environment Committee, be adopted. **CARRIED.**

Hamilton City Council then adjourned at 9:55 p.m.

Taken as read and approved.

MAYOR R. M. MORROW
CHAIRMAN

K. C. Christenson, Acting Municipal Clerk
May 2, 2000
KCC/dg



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, May 1, 2000
9:30 a.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Mayor R. M. Morrow, Aldermen M. Kiss, A. Horwath, B. Morelli, T. Jackson, T. Anderson, F. D'Amico

Also Present: Alderman R. Corsini
C. Guthro, M. Hazell, T. Gill, R. Meiers, P. Dunn, B. Price,
C. Lee-Morrison, C. Biggs

Alderman C. Collins, Chairperson, called the meeting to order.

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 07-00 AND RESPECTFULLY RECOMMENDS:

1. Rennie Street Closed Landfill (PWT00102)

- (a) That the City of Hamilton commence the first phase of the project to design and construct a leachate collection system to control and prevent any potential discharge from the Closed Rennie Street Landfill at an initial cost of \$1,100,00, which will include, but may not be limited to:
 - (i) maintaining the interim control measures;
 - (ii) conducting any additional investigations required to meet the Ministry of Environment Field Order;
 - (iii) conducting public consultation and applying for agency approvals;
 - (iv) designing leachate collection and landfill gas control systems and obtaining contractor quotes;

- (v) design erosion control and obtain contractor quotes; and,
- (b) That this phase of the project be deemed to be a Time Sensitive project pursuant to Purchasing Policy No. 5, and that the Acting City Manager and the Mayor be authorized to execute any documents, purchase orders, requisitions or contracts necessary to proceed with the initial phase of the project, to an upset limit of \$1,100,000; and,
- (c) That the Finance and Administration Committee recommend a method of financing these costs; and,
- (d) That staff be authorized to take any and all steps needed to obtain any necessary federal or provincial regulatory approvals required for the final project; and,
- (e) That staff report back within four weeks with a full report setting out the total cost of the project and a plan for completion.

**Alderman C. Collins, Chairman
Transport and Environment Committee**

**Carolyn Biggs, Legislative Assistant
May 1, 2000**

CORRESPONDENCE

Correspondence:

1. Application dated April 26, 2000 from Sterling Honda, 925 Main Street West, Hamilton, Ontario for a further modification to the "G" (Neighbourhood Shopping Centre, etc.) District regulations for lands at 1489-1545 Upper James Street, Hamilton, Ontario.

Recommendation: Be Received.

TRANSPORT & ENVIRONMENT
COMMITTEE



REPORT

CITY OF HAMILTON TRANSPORT AND ENVIRONMENT COMMITTEE

Monday, May 1, 2000
9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman C. Collins (Chairperson), Alderman D. Wilson (Vice-Chairperson), Mayor R. M. Morrow, Aldermen M. Kiss, A. Horwath, B. Morelli, T. Jackson, T. Anderson, F. D'Amico

Also Present: Alderman R. Corsini
C. Guthro, M. Hazell, T. Gill, R. Meiers, P. Dunn, B. Price,
C. Lee-Morrison, C. Biggs

Alderman C. Collins, Chairperson, called the meeting to order.

THE TRANSPORT AND ENVIRONMENT COMMITTEE PRESENTS REPORT 08-00 AND RESPECTFULLY RECOMMENDS:

1. Parking for Services in Kind – International Children's Games – July 1 to 6, 2000 (PWT00077) (Item 7)

That, in accordance with the current City Council policy respecting "Parking for Services in Kind", the request of the International Children's Games to provide four (4) tickets to the Opening Ceremonies and six (6) tickets to the Closing Ceremonies (\$5000 value) in exchange for 50 parking spaces for eight days in the Convention Centre Parking Garage (\$5000 value), be approved.

2. Hotz Environmental Services Inc., 239 Lottridge Street – Applications for Amendments to Certificates of Approval Nos. A100146 and A650089 (PDC00081) (Item 8)

- (a) That the West Central Branch of the Ontario Ministry of the Environment be advised that the City of Hamilton does not object to the amendment to Certificate of Approval No. A100146 (hazardous waste transfer facility), for Hotz Environmental Services Inc. at 239 Lottridge Street, as shown on the Appendix "A" attached hereto, provided the following is undertaken:

- (i) All environmental safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of the Environment;
 - (ii) Condition 1.(j) – The maximum 180 day temporary storage provision not be deleted, but extended from a maximum 180 day period to a maximum period of 1 year;
 - (iii) Condition 9. - Operating hours will only be extended to 7 days per week for the industrial waste component provided the applicant, Hotz Environmental, continues to implement a truck route that directs trucks away from the residential areas to the south, within the Stipeley Neighbourhood. Specifically, trucks will continue to enter the site southbound on Lottridge Street and exit the site northbound on Lottridge Street. Furthermore, Operating hours will only be extended to 7 days per week for the industrial waste component on a trial basis for a maximum period of one year. At the end of a one year period, the applicant will submit a summary of the frequency of weekend industrial services for review by the City of Hamilton, prior to any further amendment;
 - (iv) Condition 16.(10) – Temporary outdoor storage may be extended from “overnight” to a maximum period of one month per roll-off bin, rather than for “sufficient time for testing transferring and shipment scheduling” as requested. Furthermore, outdoor storage will only be expanded on a trial basis for a maximum period of one year. At the end of a one year period, the applicant will submit a summary of outdoor storage records for review by the City of Hamilton, prior to any further amendment;
- (b) That the West Central Branch of the Ontario Ministry of the Environment be advised that the City of Hamilton does not object to the amendment to Certificate of Approval No. A650089 (paint recycling facility), for Hotz Environmental Services Inc. at 239 Lottridge Street, as shown on Appendix “A” attached hereto, provided the following is undertaken:
- (i) All environmental safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of the Environment;
 - (ii) Condition 1.(i) - The maximum 180 day temporary storage provision not be deleted, but extended from a maximum 180 day period to a maximum period of 1 year;

- (iii) Condition 14.(6) - The temporary outdoor storage of roll-off bins be restricted to a maximum period of one month per roll-off bin. Furthermore, outdoor storage will only be expanded on a trial basis for a maximum period of 1 year. At the end of a one year period, the applicant will submit a summary of outdoor storage records for review by the City of Hamilton, prior to any further amendment;
- (c) That a copy of this report be forwarded to the West Central Branch of the Ontario Ministry of the Environment for their consideration;
- (d) That the West Central Branch of the Ontario Ministry of the Environment be requested to forward a copy of its final decision respecting the proposed amendments to Certificates of Approval Nos. A100146 and A650089 to the Municipal Clerk, City of Hamilton.

3. Routine Amendments to City of Hamilton Traffic By-law 89-72 – Transport and Environment Committee Meeting – May 1, 2000 (PWT00095) (Item 9.1)

That the requests for routine amendments, as listed in Appendix “B” attached hereto, be approved and that an appropriate by-law to amend the City Traffic By-law 89-72 be passed and enacted.

4. 697 Burgess Avenue, Hamilton – Request for Wheelchair Loading Zone (New Business)

- (a) That a “Wheelchair Loading Zone, 7:00 a.m. to 4:00 p.m., Monday to Friday” regulation be implemented on the south side of Glow Avenue, commencing 50 feet west of Burgess Avenue and extending to a point 25 feet westerly therefrom; and
- (b) That an appropriate by-law to amend City Traffic By-law 89-72 be passed and enacted.

5. Intersection of Acadia Drive and Mapleridge Drive– Intersection Control (New Business)

- (a) That an all-way stop control be implemented at the intersection of Acadia Drive and Mapleridge Drive;
- (b) That an appropriate by-law to amend City Traffic By-law 89-72 be passed and enacted.

6. **Temporary Road Closure: Scouts Canada/Guides Canada Parade (PWT00094)** (Item 9.2)

That the application of Scouts Canada/Guides Canada to temporarily close the following streets in the City of Hamilton:

Locke Street, from York Boulevard to Main Street
MacNab Street, from Main Street to Hunter Street
Jackson Street, from MacNab Street to City Hall parking lot,

on Saturday May 27, 2000, from 8:00 a.m. to 12:00 noon, for the annual Scouts Canada/Guides Canada Parade, be approved, subject to the following conditions:

- (a) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police, or his designate, be obtained; and,
- (b) That the applicant provide proof of \$2,000,000 public liability insurance, naming the City and the Region as an added insured party with a provision for cross liability, and holding the City and the Region harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,
- (c) That all barricading, detour signing and traffic control is subject to the direction of the Chief of Police, or his designate; and,
- (d) That all barricading be supplied by the City of Hamilton, Department of Public Works and Traffic; and,
- (e) That "Temporary Road Closure" signs be installed in advance by the Department of Public Works and Traffic, on the affected roadways, if deemed necessary by the Acting Commissioner of Public Works and Traffic; and,
- (f) That the applicant ensures those clean up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer; and,
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request; and,
- (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Acting Commissioner of Public Works and Traffic.

7. Appointment of Parking Control Officers (PWT00082) (Item 9.3)

That, in accordance with Section 15(1) of the Police Services Act, 1990, the following persons be appointed as Parking Control Officers:

Barbara Maher
Diane Buist

8. Appointment of Parking Control Officer (PWT00075) (Item 9.4)

- (a) That, in accordance with Section 15(1) of the Police Services Act, 1990, the following person be appointed as a Parking Control Officer:

Juanita Flokstra

- (b) That the following appointments as Parking Control Officers be repealed:

Edward Brazier
John Harvey

9. Appointment of Chief Weed Inspector and Municipal Weed Inspectors in the City of Hamilton (PWT00092) (Item 9.5)

- (a) That the Director of Legal Services be authorized to draft the appropriate by-law to permit the appointment of the Chief Weed Inspector to enforce The Weed Control Act in the City of Hamilton as follows:

C. Guthro, Acting Commissioner, Department of Public Works and Traffic

- (b) That the Director of Legal Services be authorized to draft the appropriate by-law, appointing Municipal Weed Inspectors under The Weed Control Act, to permit the appointment of the following 21 inspectors:

R. Aldridge	A. Dore	J. McShane
P. Booker	R. Duckworth	T. Perry
J. Bovaird	R. Guenther	A. Polowy
R. Campanella	J. Holmes	S. Taylor
S. Capostagno	H. Kerwin	P. Tompkins
R. Del Conte	C. Manning	J. Turner
J. Dodman	P. McFarland	R. Yanke

- (c) That By-Law 99-031 be repealed.

10. Keep Hamilton Clean Committee – Appointment of Member (PWT00091)
(Item 9.6)

That the following citizen be appointed as a member of the Keep Hamilton Clean Committee with a term to expire on December 31, 2001:

John Nieminen

11. 170 St. Andrews Drive – Damage to Garden Shed and Fence (PWT00091)
(Item 9.7)

- (a) That the Commissioner of Public Works and Traffic be authorized and directed to reconstruct the 3m x 3m garden shed and a portion of the board fence abutting the public walkway at 170 St. Andrews Drive.
- (b) That the cost of the work estimated at \$3,800 be funded from the 2000 Current Budget – Paths and Walkways – Account COHAM 55065 424005.

12. Bills

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-026 A By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (b) A-027 A By-law to amend Traffic By-law 89-72 to Regulate Traffic

FOR THE INFORMATION OF COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes – April 3, 2000 (Item 2)

That the Minutes of the meeting of the Transport and Environment Committee held on April 3, 2000, be adopted.

c) **Proposed Alteration of Ferguson Avenue North, between King William Street and Wilson Street (PWT00089) (Item 3.1)**

Mr. J. Beume, owner of the properties known as 182 and 183 Rebecca Street, appeared before the Committee.

Mr. Beume advised the Committee that should the proposed alterations be approved, that the existing parking lot at 183 Rebecca Street would be affected to the extent several parking spaces would be eliminated.

The Committee approved to table the recommendation contained in Report PWT00089 to a special meeting of the Transport and Environment Committee on May 9 (prior to City Council) in order to allow the Ward Aldermen and staff to meet with Mr. Beume to resolve his concerns.

(d) **Request from Mayor R. Morrow to address the Committee respecting 11 Robert Street (Item 4.1)**

Mayor R. Morrow and Alderman R. Corsini expressed concern that with the increased number of businesses in the James Street North area, existing parking is no longer sufficient.

The Committee approved that staff, in consultation with the Mayor and Ward Aldermen, bring a report back to the Committee on the possible acquisition of the property at 11 Robert Street, Hamilton.

(e) **Petition to Remove Aberdeen Avenue from the "Through Street" System (PWT00083) (Item 5)**

At the request of Alderman M. Kiss, the Committee agreed to table this item to the next regularly-scheduled meeting of the Committee.

(f) **Temporary Road Closures: Hess Street South, between King Street and Main Street (PWT00093) (Item 6)**

At the request of Alderman A. Horwath, the Committee agreed to table this item to a special meeting of the Transport and Environment Committee on May 9 (prior to City Council) in order to allow the Ward Aldermen to meet with the affected residents.

- (g) **Hotz Environmental Services Inc., 239 Lottridge Street – Applications for Amendments to Certificates of Approval Nos. A100146 and A650089 (PDC00081) (Item 8)**

Mr. Brian, Hinkley, Consultant, and Mr. H. Lim, Senior Vice President of Hotz Environmental Services appeared before the Committee to offer an update to the Committee on the continuing dialogue between representatives of Hotz Environmental and the affected area residents to address neighbourhood concerns.

- (h) **Rennie Street Landfill Site (Item 10.1)**

The Committee moved In Camera to receive legal advice and subsequently reconvened in Open Session.

- (i) **Information Items (Item 9.8)**

That the following items be received:

- (i) Noise Issues in the Downtown Core (PWT00081)
- (ii) Moratorium on Encroachment Fees in the Downtown Core (PWT00080)
- (iii) Reserved Parking under The Private Property By-law (PWT00084)
- (iv) Tender for Supply of Traffic Paint (TOE00007)
- (v) Minutes of the March 20, 2000 meeting of the Community Safety Zones Sub-Committee
- (vi) Correspondence to Mayor R. Morrow, respecting expansion of CP Rail Yard at Longwood and Aberdeen from:
 - (aa) The Honourable D. Anderson, M.P., Minister of the Environment, dated March 30, 2000
 - (bb) The Honourable D. Newman, M.P.P., Minister of the Environment, dated April 12, 2000

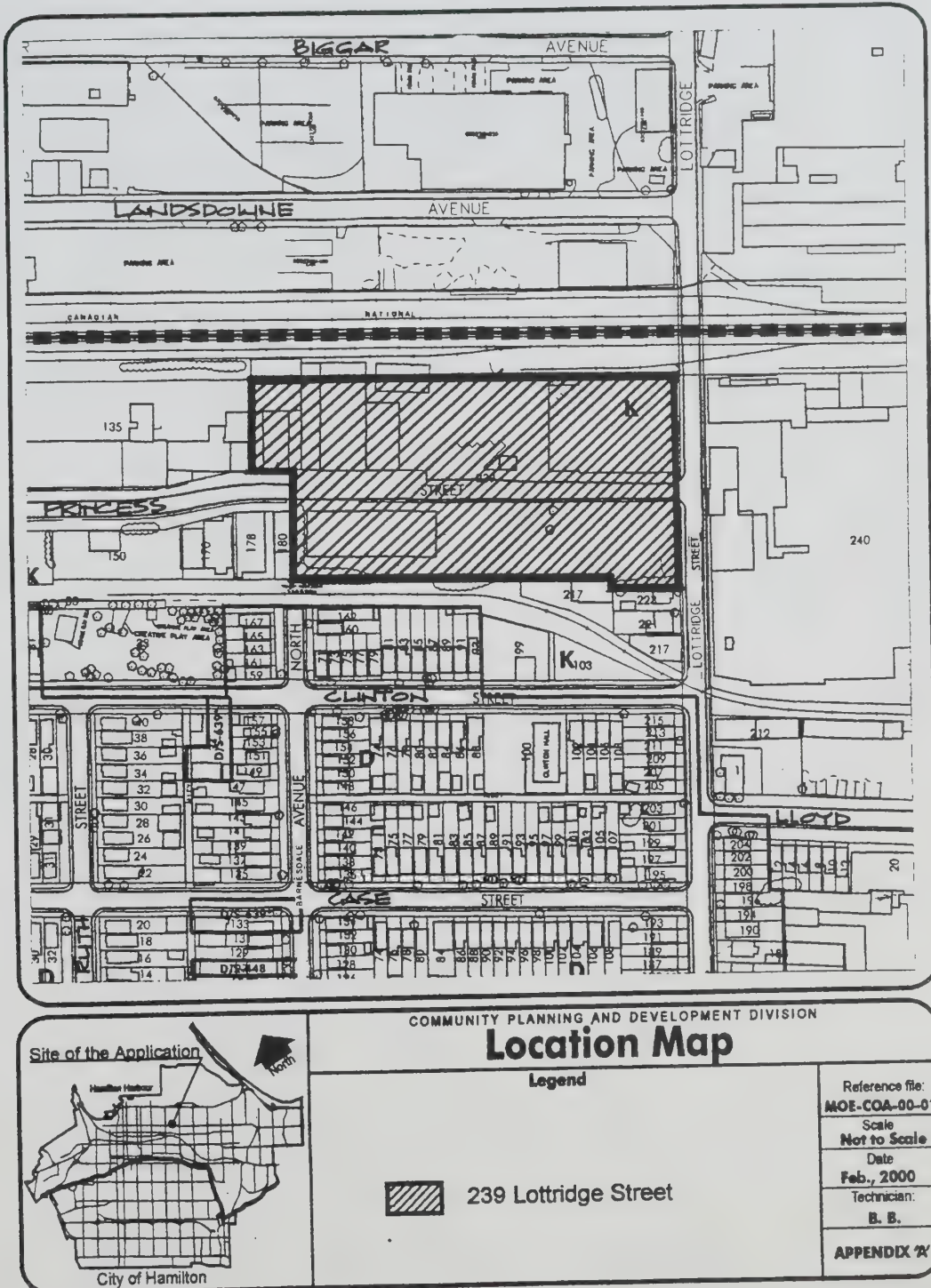
Note: The meeting of the Transport and Environment Committee adjourned at 11:00 a.m.

**Alderman C. Collins, Chairman
Transport and Environment Committee**

**Carolyn Biggs, Legislative Assistant
May 1, 2000**

City Council – May 9, 2000

Appendix "A" as referred to in Section 2 of
Transport and Environment Committee Report 08-00



Appendix "B" as referred to in Section 3 of
Transport and Environment Committee Report 08-00

Ward 2

- (a) Christine Santos, 175 Picton Street East, has requested the implementation of a reserved "Permit Parking" regulation on the north side of Picton, directly in front of her father's home since he is disabled.

Ward 3

- (a) Nancy Bates, 44 East Avenue, has requested the implementation of a reserved "Permit Parking" regulation on the east side of East, directly in front of her home since she is disabled.
- (b) Dave Oddson, 27½ Shaw Street, has requested the implementation of a reserved "Permit Parking" regulation on the north side of Shaw, directly in front of his home since he is disabled.
- (c) Doug Doucette, 160 Avondale Avenue, has requested the implementation of two reserved "Permit Parking" regulations on each side of Avondale, since his wife and uncle are both disabled. Presently, there is an "Alternate Side Parking" regulation on Avondale. All four residents abutting the requested regulation have advised that they support the implementation of the subject regulations.
- (d) Ms. Diana Rychlik, 81 Case Street, has requested the implementation of a reserved "Permit Parking" regulation on the north side of Case, directly in front of her home since she is disabled.

Ward 6

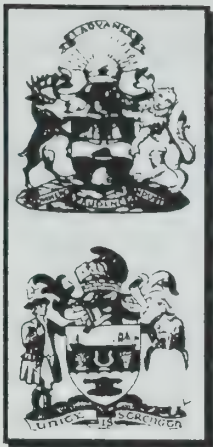
- (a) Principal Nora-Lyn Veevers, Fernwood Public School, 780 Ninth Avenue, has requested that the existing "No Stopping" regulation on the south side of Ninth, west of Fernwood, be extended westerly to improve the visibility of children crossing at the intersection of Ninth and Fernwood.

Ward 7

- (a) Mr. Garreau, 116 East 23rd Street, has requested that the existing full-time "Wheelchair Loading Zone" be removed from the west side of East 23rd in front of his home since his mother has passed away.
- (b) Alderman Bill Kelly has advised of requests from area residents that all-way stop control be implemented at the "T" type intersections of Pinewarbler and Skylark and Jay and Skylark, to discourage motorists from "shortcutting" through the neighbourhood to access Limeridge Mall. Both of these intersections meet the criteria for all-way stop control.

PARKS & RECREATION
COMMITTEE





REPORT

CITY OF HAMILTON PARKS AND RECREATION COMMITTEE

Monday, May 1, 2000
1:15 p.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

-
- Present:** Alderman B. Morelli (Chairperson)
Alderman M. Kiss (Vice-Chairperson)
Mayor R. M. Morrow
Aldermen R. Corsini, G. Copps, F. Eisenberger, T. Jackson,
T. Anderson, D. O'Sullivan
- Also Present:** R. Fair, K. Duncliffe, G. Makins, S. Merlo-Orzel, W. Plessl,
G. Maychak, B. Price, B. Dunn, J. Kiriakopoulos, K. Hall, J. Blake,
C. Touzel

Alderman B. Morelli, Chairperson, called the meeting to order.

THE PARKS AND RECREATION COMMITTEE PRESENTS REPORT 07-00 AND RESPECTFULLY RECOMMENDS:

1. **Hamilton Civic Golf Courses (CSC00078) (Item 4)**
 - (a) That the full implementation of a seven day advance booking system at Chedoke Civic Golf Course be restricted during weekdays to the hours between 10:00 a.m. and closing; and,
 - (b) That for the purposes of establishing a Golf Course advanced booking system at all Hamilton Civic Golf Courses, that a 50/50 ratio of member to green fee booking times for weekend tee-offs be established, with all unbooked tee times available on a first come, first served basis; and,
 - (c) That Culture and Recreation Department Staff report back to the Parks and Recreation Committee on the impact of recommendation (b) above at the end of May, 2000; and,

- (d) That Culture and Recreation Department Staff report back to the Parks and Recreation Committee on the re-establishment of a 9-hole green fee rate (to begin two hours after twilight) at all Hamilton Civic Golf Courses.

2. Recreation and Senior Centre in the Riverdale Community - Award of Construction Contract (CSC00079) (Item 5)

- (a) That Staff be authorized to issue a Purchase Order to Ira McDonald Construction Ltd. of Burlington in the amount of Three Million Four Hundred and Twenty Two Thousand and Eighty Dollars, (\$3,422,080) plus applicable GST in the amount of Two Hundred and Thirty Nine Thousand and Five Hundred and Forty Six Dollars (\$239,546) to a total of Three Million Six Hundred and Sixty One Thousand and Six Hundred Twenty Six Dollars (\$3,661,626) to construct a Recreation and Senior Centre in the Riverdale Community at 157 Lake Avenue North as detailed in the Contract Documents (C3-700) issued on March 14, 2000 to be financed from the designated Capital Account COHAM709941066; and,
- (b) That the General Manager, Community Services Division, be authorized to expend \$200,000 to complete work as required due to unforeseen site conditions, if any revealed in the course of construction from Capital Account COHAM709941066; and,
- (c) That a contract satisfactory to Corporate Counsel be entered into between the City and the Contractor; and,
- (d) That the Mayor and the Acting Municipal Clerk be authorized to execute the contract on behalf of the City; and,
- (e) That Staff be authorized to negotiate the required agreements, including the transfer of lands for the project as approved, in principle by both the Hamilton-Wentworth District School Board and the Hamilton Separate School Board; and,
- (f) That the Acting Director of Public Works and Traffic be authorized to remove one tree located in the area of construction, and to undertake the planting of replacement trees in accordance with City By-law No. 92-155 "Respecting Trees".

3. Authorization to Advertise Externally for Candidates to fill the Temporary Position of Project Manager (CSC00080) (Item 6.1 - Revised)

That the General Manager of Community Services be authorized to advertise externally for qualified candidates to fill the temporary contract position of Project Manager – Culture and Recreation Department, in accordance with Council Policy, as no qualified internal candidates were found.

4. Authorization to Advertise Externally for Candidates to fill the Position of Historical Interpreter - Whitehern Museum (CSC00075) (Item 6.2)

That the General Manager of Community Services be authorized to advertise externally in order to ensure the best possible list of qualified candidates to fill the temporary position of Historical Interpreter for Whitehern Museum.

5. Waiving of Fees - Ontario Ladies District Sectional Golf Tournament (CSC00074) (Item 6.3)

That the General Manager of Community Services be authorized to waive green fees for participants in the Ontario Ladies Sectional Golf Tournament to be held at King's Forest Golf Course, August 16, 2000 (rain or shine).

6. Fireworks Display for Scott Park Minor Baseball Park Opening (CSC00077) (Item 6.4)

- (a) That approval, as required by Sections 17 (01) and 26 of Fireworks By-law No. 90-198 and Section 5 of Parks By-law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Events Guidelines, be given to Scott Park Minor Baseball Association to hold a Family Fireworks Display at Scott Park Baseball Diamonds on Monday, May 22, 2000 at dusk; and,
- (b) That Hands Fireworks Company be contracted to provide the licenced fireworks supervisor for the display.

7. International Children's Games Millennium Festival - Cultural Festival - Beer Garden Approval (CSC00076) (Item 6.5)

- (a) That approval be given to the General Manager of Community Services, on behalf of the City of Hamilton, to apply to the Alcohol and Gaming Commission of Ontario (AGCO) for a Special Occasion Permit for the purpose of operating a beer garden as part of the International Children's Games Millennium Cultural Festival; and,
- (b) That the beer garden be held on the Hamilton-Wentworth District School Board property (King and Bay Streets) on:

Saturday, July 1 from 11:00 a.m. – 11:00 p.m.
Sunday, July 2 from 11:00 a.m. – 11:00 p.m.
Monday, July 3 from 11:00 a.m. - 6: 00 p.m.; and,
- (c) That the event operate within the Terms and Conditions of the Special Event Guidelines.

8. Sale of Alcoholic Beverages - Various Parks (CSC00073) (Item 6.6)

That approval, as required by Section 11 of Parks By-Law No. 95-126 as amended, and under the Standard Terms and Conditions of the Special Event Guidelines and in accordance with the Municipal Alcohol Risk Management Policy, be given to the following organizations to allow the sale of alcohol by Special Occasion Permit only in the locations and on the dates specified:

- (a) Wentworth Adult Mixed Slo-Pitch League – May 26, 27 and 28 and August 19 and 20, 2000 – Turner Park.
- (b) Hamilton Touch Football Association – May 27 and 28, 2000 – Mohawk Sports Park.
- (c) Wentworth Adult Mixed Slo-Pitch League and the Stoney Creek Ladies Slo-Pitch League – June 10 and 11, 2000 – Turner Park.
- (d) Hamilton Professional Firefighters Association – June 25, 2000 – Turner Park.
- (e) Gourley Park Community Association – July 7 and 8, 2000 – James MacDonald School Park.
- (f) Hamilton-Wentworth Police Association – July 7, 8 and 9, 2000 – Turner Park.

- (g) Kelsey's Annual Slo-Pitch Tournament – July 29 and 30, 2000 – Turner Park.
- (h) Hamilton Oldtimers Baseball Organization - August 19 and 20, 2000 - Mohawk Sports Park.

9. Sale of Alcoholic Beverages - Globe Park - Hamilton and District Slo-Pitch League (CSC00072) (Item 6.7)

That approval be granted to the Hamilton and District Slo-Pitch League to sell alcoholic beverages at Globe Park on May 12, 2000 from 6:00 p.m. – 11:00 p.m. and May 13, 2000 from 12:00 p.m. – 11:00 p.m. and September 15, 2000 from 6:00 p.m. – 11:00 p.m. and September 16, 2000 from 12:00 p.m. – 11:00 p.m., by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Special Event Guidelines and the Municipal Alcohol Risk Management Policy.

10. Sale of Alcoholic Beverages - Hamilton Police Association and the Hamilton Central Lions Club Annual Lobsterfest (CSC00071) (Item 6.8)

That approval be granted to the Hamilton Police Association and the Hamilton Central Lions Club to sell alcoholic beverages in Mountain Arena on June 3, 2000 from 6:00 p.m. - 1:00 a.m. for their annual Lobsterfest fundraising dinner by Special Occasion Permit only, and in accordance with the Terms and Conditions of the Licence, the Municipal Alcohol Risk Management Policy and all applicable Insurance.

11. Rental Fee Policy for the Stable at Whitehern (CSC00057) (Item 6.9)

That the new Whitehern Stable Rental Policy for the main floor of the rehabilitated Stable, attached hereto and marked as Appendix "A", be approved.

12. Grant Application of Young Canada Works in Science and Technology - Culture Division (CSC00059) (Item 6.10)

That the General Manager of Community Services be authorized to apply for a federal government Young Canada Works...In Science and Technology grant for \$10,000 to hire an intern to initiate a computerized database artifact cataloguing system for museum collections.

FOR THE INFORMATION OF CITY COUNCIL:**(a) Declarations of Interest (Item 1)**

None declared.

(b) Adoption of Minutes - April 3, 2000 (Item 2)

That the Minutes of the meeting of the Parks and Recreation Committee held April 3, 2000 be adopted.

(c) Presentations/Delegations (Item 3)**(i) Hamilton Naturalists Club - Donation of \$10,000 for the Construction of the Hamilton Harbour Waterfront Trail - Ken Hall (Item 3.1)**

Ken Hall, Member of the Executive of the Hamilton Naturalist Club, presented the City with a cheque in the amount of \$10,000 for the construction of the Hamilton Harbour Waterfront Trail.

(ii) International Children's Games and Millennium Festival Update - John Kiriakopoulos, Chairman (Item 3.2)

John Kiriakopoulos, Chairman, and Greg Maychak, General Manager, International Children's Games and Millennium Festival, appeared before the Committee to provide an update on the 2000 International Children's Games and Millennium Festival to be held in Hamilton from July 1-7, 2000.

The Committee was advised that approximately 2,250 athletes representing 78 cities from 32 countries will be participating.

A list of Members and upcoming events, as well as the brochure, poster and itinerary for the event, were distributed. A 30-second Public Service Announcement promoting the Games/Festival was also shown for the Committee's information.

(d) Hamilton Civic Golf Courses (CSC00078) (Item 4)

Jake Blake, President, Chedoke Golf Course - Men's Section, was in attendance to address the report which was prepared in response to his letter presented at the last meeting.

Report CSC00078 was amended to amend subsection (b) respecting unbooked tee times on weekends and to add subsection (d) respecting a 9-hole green fee rate at all Hamilton Civic Golf Courses.

- (e) **Authorization to Advertise Externally for Candidates to fill the Temporary Position of Project Manager (CSC00080)** (Item 6.1)

A revised report CSC00080 was circulated and subsequently approved.

- (f) **Authorization to Advertise Externally for Candidates to fill the Position of Historical Interpreter - Whitehern Museum (CSC00075)** (Item 6.2)

Ross Fair, General Manager, Community Services Division, advised the Committee that Transition Board approval is required for this report.

- (g) **International Children's Games Millennium Festival - Cultural Festival - Beer Garden Approval (CSC00076)** (Item 6.5)

Alderman Jackson was recorded as opposed.

- (h) **Sale of Alcoholic Beverages - Various Parks (CSC00073)** (Item 6.6)

Alderman Jackson was recorded as opposed.

- (i) **Sale of Alcoholic Beverages - Globe Park - Hamilton and District Slo-Pitch League (CSC00072)** (Item 6.7)

Alderman Jackson was recorded as opposed.

- (j) **Sale of Alcoholic Beverages - Hamilton Police Association and the Hamilton Central Lions Club Annual Lobsterfest (CSC00071)** (Item 6.8)

Alderman Jackson was recorded as opposed.

- (k) **Information Items** (Item 6.11)

That the following items previously distributed to Members of Committee under separate cover, be received:

- (i) Sackville Hill Registration Survey Summary (CSC00067) (Item 6.11a)

- (ii) Hamilton First Night - New Year's Eve Celebration - Summary 2000 (CSC00070) (Item 6.11b)

- (iii) The Positively Downtown Program (CSC00069) (Item 6.11c)
- (iv) General Manager Approved Summer Park Events (CSC00068) (Item 6.11d)
- (v) Executive Committee of the International Children's Games and Millennium Festival - Minutes of Meeting held March 6, 2000 (Item 6.11e)
- (vi) Chrysanthemum Show for 2000 (Item 6.11f)

Note: The meeting of the Parks and Recreation Committee adjourned at 2:15 p.m.

**Alderman B. Morelli, Chairperson
Parks and Recreation Committee**

**Charlene Touzel, Legislative Assistant
May 1, 2000**

Appendix "A" as referred to in Section 11 of Report 07-00
and the Minutes of the Parks and Recreation Committee
for its meeting held May 1, 2000

Whitehern Stable Building

Rental Policy

The rental policy is in place to establish rental rates and usage priorities for
Whitehern Stable.

Room Rental/Use in order of Priority:

1. Museum programming
2. Private functions
3. For profit individuals, businesses and corporations
4. Not-for-profit groups and registered charitable organizations
5. City of Hamilton functions (free between 9:00AM and 4:00 PM, except during December)

Room capacity:

30-35 theatre style seating, 40-45 standing.

Rental rates:

Day rate: \$20.00/hour plus GST (3-hour minimum)

Evening rate: \$30.00/hour plus GST (4-hour minimum)

(when the majority of the rental period is after 5:00pm).

Children's birthday group: \$30.00/ hour plus GST, plus programme fees for a minimum of 10 children, between 1:00 and 4:00 PM only. *(This equates to \$50.00 minimum, \$2.00 x 10 children for tour and \$30.00 for use of stable for cake etc. following)*

(Rental fees subject to change)

Rental fees are for the use of the main floor only and include use of a coffee urn, coffee cups, teapots, tables, chairs, washrooms, kitchenette, and passive recreational use of the gardens (as out-lined in the Grounds Use Policy).

Rental fees do not include admission to the historic house, parking and any use of the garden, other than those outlined in the Grounds Use Policy.

Rental rates may be offered at a 20% discount for not-for-profit community groups.

Whitehern Stable Building Policy

Page 2

Conditions:

1. The rental party waives any claim against Whitehern or its staff from any harm, injury or loss incurred during the rental of its facilities, and shall be responsible for maintaining the rented premises/facilities in the same condition in which they were rented. If any damages are incurred during the time of the contracted rental the Rental Party agrees to pay the damage/replacement cost and maintenance fee. Whitehern staff will make an inspection of the rented premises immediately following the rental period.
2. The rental party agrees to read the fire safety plan posted in the building and communicate this information to the occupants during the function.
3. Smoking is not permitted inside any building at the Whitehern site. Outside smoking facilities are provided. All smoking refuse is to be properly disposed of in the containers provided.
4. Your booking is confirmed upon receipt of a \$50.00 deposit. Balance is due at the end of the rental period. All payments must be made in the form of cash, cheque or money order.
5. In the event of cancellation by the rental party: if more than two months in advance, full refund; if less than two weeks in advance, loss of deposit; if less than two days in advance, loss of deposit and a cancellation fee of \$30.00 will be charged to cover expenses for scheduled staff.
6. Whitehern may cancel bookings at any time. In such a case, advance notice will be given.
7. Liquor may be served under the authority of a Special Occasion Permit and only with prior written approval of the Manager of Cultural Services. This permit is the responsibility of the rental party and must be received in advance of the event and will be posted by Whitehern staff.
8. Music must stop by 12:00 midnight and all persons must vacate the premises by 12:30 am.
9. No confetti or other litter is permitted on the site. No litter (e.g. Balloons, strings, etc.) is to be left on the site.
10. Catering and all other arrangements are the responsibility of the rental party.
11. Motorized vehicles are not permitted on the grounds, unless authorized by prior arrangement with Whitehern staff.
12. Decorations are the responsibility of the rental party and must not damage the facility in any way; no tack or tape on any surfaces. No candles or any kind of open flame is allowed.
13. Booking times are as indicated on the booking confirmation form. The premises must be tidied and vacated within the time specified, or an extra charge will be applied.
14. Whitehern may or may not be open for other events or activities on the day of the party booking. Only the area and washrooms/facilities reserved will be opened especially for the rental party. Should the rental party wish to use the garden, or arrange tours/programmes inside the historic house, this should be arranged in advance.
15. The kitchenette is to be used for the preparation of coffee, tea and other beverages, and refrigerating or re-heating previously prepared light refreshments only. It is in no way intended for cooking meals.

Whitehern Stable Building Policy

Page 3

16. Deliveries of food, decorations, equipment etc. must be made on the day of the event only between the hours of 1:00 to 4:00 PM or after the rental period begins. Sufficient set up time should be taken into consideration when planning the start time of the rental period.

April 2000.

**PLANNING & DEVELOPMENT
COMMITTEE**



REPORT

CITY OF HAMILTON PLANNING AND DEVELOPMENT COMMITTEE

Wednesday May 3, 2000

9:30 a.m.

Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. D'Amico (Chairperson), Alderman G. Copps (Vice-Chairperson), Aldermen M. Caplan, R. Corsini, D. Haining, F. Eisenberger, B. Charters, B. Kelly

Regrets: Mayor R. Morrow (Civic Business)

Also Present: Alderman M. Kiss, Alderman A. Horwath, Alderman D. Wilson, Alderman B. Morelli, Alderman T. Anderson, L. Coveyduck, P. Mallard, B. Janssen, G. Paparella, J. Spolnik, E. Switinky, N. Smith, T. Agnello

Alderman F. D'Amico, Chairperson, called the meeting to order.

THE PLANNING AND DEVELOPMENT COMMITTEE PRESENTS REPORT 09-00 AND RESPECTFULLY RECOMMENDS:

1. **City Initiative for a Change in Zoning for No. 90 Kinrade Street (PDC00082)**
(item 2.1)
 - (a) That approval be given to City Initiative CI-00-B, for a change in zoning from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential – One and Two-Family Dwellings) District, modified, to permit a semi-detached dwelling (2 units), for lands located at No. 90 Kinrade Avenue, as shown on the attached Map marked as Appendix "A", on the following basis:
 - (i) That the subject lands be rezoned from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential – One and Two-Family Dwellings) District.

- (ii) That the "D" (Urban Protected Residential – One and Two-Family Dwellings) District regulations as contained in Section 10. of Zoning By-law 6593, applicable to the subject lands, be modified to include the following variances, as special requirements:
 - 1. Notwithstanding Section 10.(3)(i) a front yard of a depth of at least 5.4 m shall be provided and maintained.
 - 2. Notwithstanding Section 10.(4)(ii) a two-family dwelling shall have a lot area of at least 530 m².
 - 3. Notwithstanding Sections 18A.(14a) and 18A.(14g) required parking may be provided in a required front yard.
 - 4. Notwithstanding Section 18A.(1)(f) and 18A.(9) manoeuvring space for the required parking shall not be required.
 - 5. Any fence shall be setback a minimum of 5.0 m from the Kinrade Avenue road allowance limits.
- (iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1444, and that the subject lands on Zoning District Map E21 be notated S-1444.
- (iv) That Corporate Counsel be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E21 for presentation to City Council.
- (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That upon finalization of the implementing Zoning By-law, the Approved Gibson Neighbourhood Plan be amended by redesignating the subject lands from "Commercial" to "Single and Double Residential".

2. Request for a Modification in Zoning for Lands Located at 1015 Main Street West (PDC00083) (Item 2.2)

That approval be given to Zoning Application ZAR-00-06, Columbia International College, owner, for a modification to the established "C" (Urban Protected Residential, etc.) District for lands known as 1015 Main Street West as shown on

the attached map marked as Appendix "B", on the following basis:

- (a) That the "C" (Urban Protected Residential, etc.) District regulations, as contained in Section 9. of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - (i) That notwithstanding Section 9.(1) of Zoning By-law No. 6593, only the following use shall be permitted:
 - 1. a commercial school for secondary school level education;
- (b) That Corporate Counsel be directed and authorized to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-33 for presentation to City Council;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1445, and that the subject lands on Zoning District Map W-33 be notated as S-1445;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (e) That Site Plan Control By-law No. 79-275, as amended, be further amended by adding the lands to Schedule "A".

3. Demolition of 9 Charlton Avenue West (PDC00076) (Item 4.1)

- (a) That subject to subsection (b) below, that the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 9 Charlton Avenue West, in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of The Planning Act (Section 33); and]
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 9 Charlton Avenue West subject to the following conditions:
 - (i) the applicant has applied for and received a building permit for a replacement building on the property; and,
 - (ii) the said building permit specifies that the new building be erected

within two years of the demolition of the existing building on this property; and,

- (iii) the said building permit specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of \$20,000; and,
- (iv) the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these conditions (including the directions to the Acting Municipal Clerk listed below) in a form satisfactory to the Building Commissioner and to the Corporate Counsel; and,
- (v) if the said building is not erected as required, the Acting Municipal Clerk be authorized to add the said sum to the collector's roll, which sum shall remain a lien upon the property until paid.

4. Demolition of 11 Charlton Avenue West (PDC00077) (Item 4.2)

- (a) That subject to subsection (b) below, that the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 11 Charlton Avenue West, in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of The Planning Act (Section 33); and]
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 11 Charlton Avenue West subject to the following conditions:
 - (i) the applicant has applied for and received a building permit for a replacement building on the property; and,
 - (ii) the said building permit specifies that the new building be erected within two years of the demolition of the existing building on this property; and,
 - (iii) the said building permit specifies if such replacement building is not erected within the said two year time limit, that the City be paid the sum of \$20,000; and,
 - (iv) the applicant be required to register on title to the subject property (prior to issuance of the said demolition permit), notice of these

conditions (including the directions to the Acting Municipal Clerk listed below) in a form satisfactory to the Building Commissioner and to the Corporate Counsel; and,

- (v) if the said building is not erected as required, the Acting Municipal Clerk be authorized to add the said sum to the collector's roll, which sum shall remain a lien upon the property until paid.

5. Demolition of 1515 Upper Sherman Avenue (PDC00078) (Item 4.3)

That the Building Commissioner be authorized to issue a demolition permit for 1515 Upper Sherman Avenue in accordance with By-law 74-290 pursuant to Section 33 of The Planning Act, as amended.

**6. King Street West Business Improvement Area (B.I.A.)
Proposed Budget and Schedule of Payment for 2000 (PWT00078) (Item 4.4)**

- (a) That the 2000 operating budget for the King Street West B.I.A., attached as hereto as Appendix "C", be approved in the amount of \$2,800; and,
- (b) That the General Manager of Finance be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 2000 budget as referenced in (a) above; and
- (c) That the following schedule of payment for 2000 be approved:

May \$2,800

Note: 1999 assessment appeals may be deducted from the 2000 levy payment.

**7. Downtown Hamilton Business Improvement Area (B.I.A.)
Appointment to the Board of Management (PWT00079) (Item 4.5)**

That the following individual be appointed to the Downtown Hamilton B.I.A.'s Board of Management:

Breckon Husband 4 Hughson Street South, Dalton Timmis Group

**8. Barton Village Business Improvement Area (B.I.A.)
Appointment to the Board of Management (PWT00086) (Item 4.6)**

That the following individuals be appointed to the Barton Village B.I.A.'s Board of Management:

Mitri Boukhers	448 Barton Street East, Bombardieri Uniforms
Anabela Martins	281 Barton Street East, Totta and Sottomayor Bank Canada
Marlene Balsdon	33 Princess Street, Master Paints and Varnish Co.

**9. International Village Business Improvement Area (B.I.A.)
Appointment to the Board of Management (PWT00088) (Item 4.7)**

That the following individual be appointed to the International Village B.I.A.'s Board of Management:

Frank Lauinger	203 King Street East (owner)
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10. 227 St. Clair Blvd. – Heritage Permit for Rear Addition (PDC00075) (Item 4.8)

That a Heritage Permit be approved for a second storey rear addition to the house at 227 St. Clair Boulevard, in the St. Clair Boulevard Heritage Conservation District, as shown on the rear and side elevations attached hereto as Appendix "D".

**11. Hamilton Beach Heritage District - By-law of Intent to Designate (PDC00073)
(Item 4.9)**

That the Legal Department be directed to prepare a by-law defining the portion of the Hamilton Beach Neighbourhood between 869 to 1019 Beach Boulevard, on the east side, and 856 to 1052 Beach Boulevard, on the west side, as shown on the attached APPENDIX "E", as an area to be examined for future designation as Hamilton Beach Heritage Conservation District.

12. Core Heritage 2000 Program, 72-76 James Street North (HSB00007) (Item 4.10)

That a grant, for façade improvements, under the Core Heritage 2000 Program in

the amount of forty-nine thousand, two hundred and thirty-eight dollars (\$49,238) to Chin Yu Wu, registered owner of 72 – 76 James Street North, be approved.

13. Demolition, 15 Division Street (PDC00060) (Item 5.2.1)

- (a) That subject to the requirements below, the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 15 Division Street in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of the Planning Act (sec.33); and,
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 15 Division Street where the applicant has applied for and received the required site plan control approval from the Community Planning and Development Division and the site plan agreement has been registered on title.

14. Demolition, 74 Harrison Street (PDC00061) (Item 5.2.2)

- (a) That subject to the requirements below, the Building Commissioner be authorized to deny an application for a demolition permit for the building located at 74 Harrison Street in accordance with Demolition Control By-Law 74-290 pursuant to the demolition control provisions of the Planning Act (sec.33); and,
- (b) That the Building Commissioner be authorized to issue a demolition permit for the building located at 74 Harrison Street where the applicant has applied for and received the required site plan control approval from the Community Planning and Development Division and the site plan agreement has been registered on title.

15. Bills:

That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) C-016 A By-law to Amend Zoning By-law No. 6593 Respecting: Land Located at Municipal No. 1389 Upper James Street .
- (b) C-017 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located South of Royalvista Drive and West of Upper Gage Avenue.

- (c) C-018 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located West of James Street North and East of Bay Street North and South of the CN Railway Line.
- (d) C-019 A By-law to amend Zoning By-law No. 6593 Respecting Lands Located at the North-West Corner of Upper James Street and Limeridge Road West (Formerly Known as Municipal No. 1078 Upper James Street).
- (e) C-020 A By-law to Define as a Heritage Conservation District the Area of the Hamilton Beach Neighbourhood Comprised of 869 to 1019 Beach Boulevard (East Side) and 856 to 1052 Beach Boulevard (West Side).
- (f) C-021 A By-law to Remove Land Within the "Woodland Meadows" Subdivision, Plan 62M-899 from Part Lot Control.

FOR THE INFORMATION OF CITY COUNCIL:

- (a) **Declarations of Interest (Item 1)**

None declared.

- (b) **Adoption of Minutes – April 5, 2000 (Item 3)**

The Minutes of the meeting held April 5, 2000 were adopted.

- (c) **City Initiative for a Change in Zoning for No. 90 Kinrade Street (PDC00082) (Item 2.1)**

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard advised that of 198 notices circulated, 2 replied in favour and 3 opposed.

A submission including a petition was received from Mr. Philip Chu on behalf of Our Lady of Vietnam Church, 644 Barton Street East.

Norm Westbury, Executive Director for Hamilton Habitat for Humanity was

present. He stated that he is excited about the proposal. He also noted that there are many parking lots in the area.

Philip Chu was present in opposition to the recommendation and stated that the Church does not want others using their lot for parking as a result of losing a parking lot to the proponents for housing.

Alderman Haining advised that the parking lot has been closed for several years and that the BIA has no concerns.

In response to a question regarding timing, Mr. Westbury advised that they would build the homes in September and dedicate them in October.

Alderman Haining agreed to meet with Mr. Chu to resolve concerns.

* Alderman Copps was opposed.

(d) **Request for a Modification in Zoning for Lands Located at 1015 Main Street West (PDC00083) (Item 2.2)**

Alderman D'Amico advised that, as per the Planning Act, the Ontario Municipal Board has the authority to dismiss any appeal of a person not presenting an oral statement or written statement at the Public Hearing.

Paul Mallard gave a brief overview of the application. He recommended that the restriction to limit the rezoning to the existing building only be deleted. In this way the establishment is given the same consideration as other schools. Of the notices circulated 14 replied in favour and 7 opposed.

Alderman Copps was not in favour of the proposed amendment.

John Ariens, agent, 360 James Street North, Liuna Station was present on behalf of the applicant. With regard to Mr. Watson's correspondence he advised that the owner is prepared to repair the existing or erect a new chain link fence. He added that there is no residential accommodation and that the new owners will be good tenants.

Sam Gangbar of 981 Main Street West, the abutting neighbour was present on behalf of the 500 tenants. He stated that he is not in objection under the condition that the fence meets with his approval.

Alderman Caplan agreed to meet with the proponents and the neighbours

in order to resolve any concerns.

The main motion was approved as amended to delete the restriction to limit the rezoning regarding future expansion to the existing building.

*Alderman Copps was opposed.

(e) **Information Items** (Item 4.11)

That the following Information Item as previously distributed to Members of the Planning and Development Committee be received:

- (i) Correspondence from the Director of Housing and Shelter to the Canada Housing and Housing Corporation dated April 18, 2000 re: RRAP program request for extension of deadline submission for construction estimates.

(f) **DELEGATION** Alderman Anderson (Item 6)

Request for Site Plan Application Fee Refund- 422 East 24th Street, Rito Gizzarelli

Alderman Anderson explained that the application was a request for an addition to the second floor and it did not affect the setbacks and was approved in 1 hour. Alderman Anderson felt that it is difficult to justify the fee charged.

Paul Mallard advised that the area was zoned modified "D" in the 70's to allow for reduced lot area and no yard requirements. Generally there are 60 applications per year.

Lee Ann Coveyduck advised that the fee is at cost recovery as based on an average fee.

Following discussion the Committee resolved that no action be taken on this matter.

(g) **CAPIC re: Former Health Department Building, 74 Hughson Street South** (Item 5.1)

Lee Ann Coveyduck advised that Council has approved the drafting of Requests for Proposals and that as part of such it has been anticipated that

the building will be demolished.

A discussion ensued regarding the merits of an option for the façade to be maintained.

Alderman Horwath reiterated that a decision has been made not to retain the building.

The Committee resolved that the correspondence before them from CAPIC dated April 18, 2000 be received.

A further motion to permit proposals which would include the retention of the East-West and South facades of the building was introduced and defeated.

(h) **Demolitions: (previously tabled)**

15 Division Street (PDC00060) (Item 5.2.1)

74 Harrison Street (PDC00061) (Item 5.2.2)

Alderman Copps advised that Ms. Kim Dawson of 19 Division Street is in the process of working out an agreement with the proponents regarding various conditions. Her property abuts both properties proposed to be demolished.

Paul Mallard advised that the properties will be placed under site plan but the Committee was concerned that the site plan affects the demolished properties only and not that of Ms. Dawson.

The Committee resolved to approve both demolitions conditional upon agreement being reached between both parties prior to the next City Council Meeting.

(i) **Other Business** (Item 7)

- (i) Alderman Charters requested and the Committee concurred that a verbal report regarding the processing of applications under the RRAP Program and other Programs affecting the downtown core be presented at each meeting of the Planning and Development Committee.

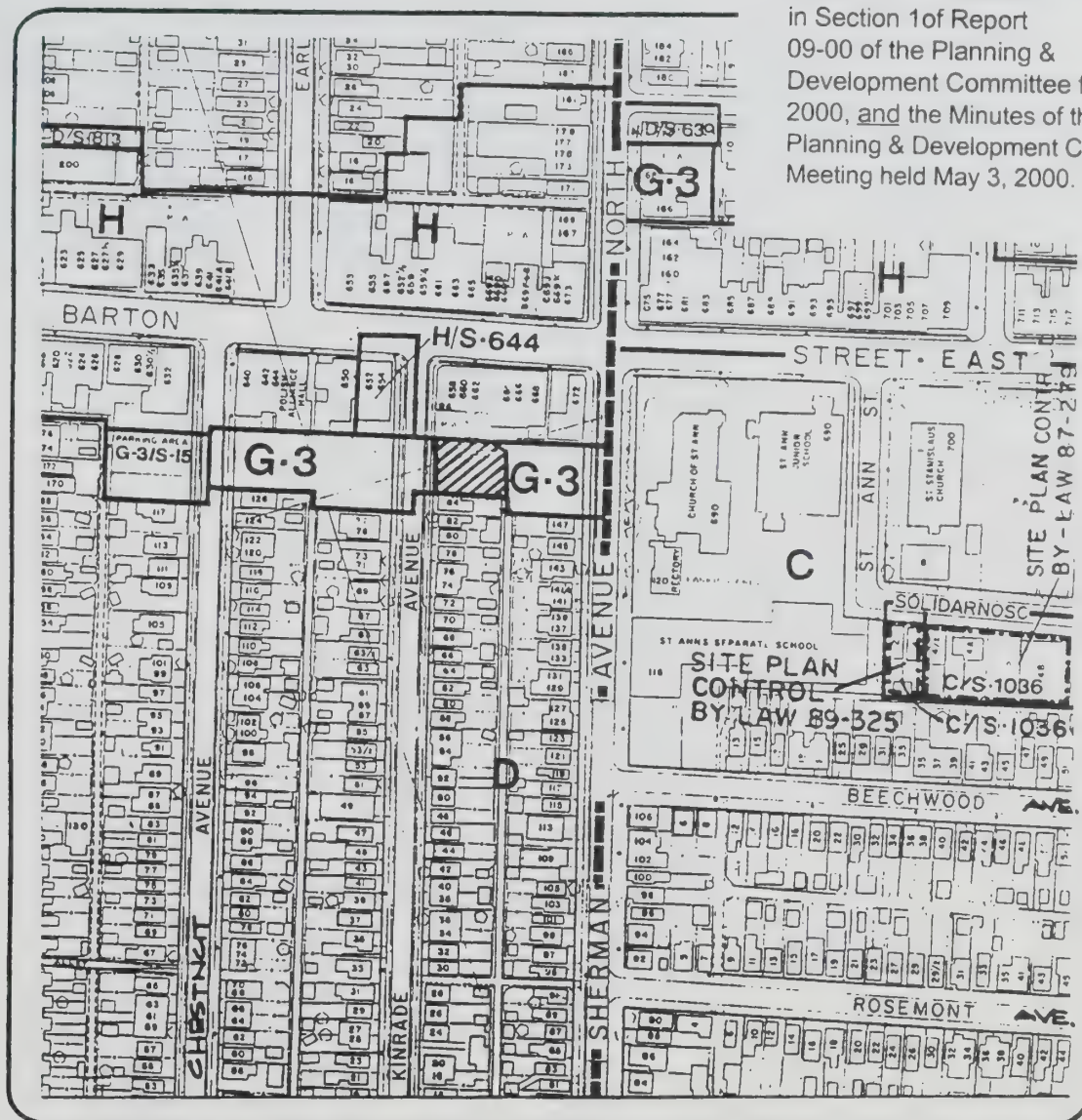
- (ii) Alderman Charters gave a brief history of the buildings at 207 to 213 King Street East and attempts to retain them in a proposed development. As it has been determined that it is not economically viable to keep them , they should be demolished.
The Committee resolved that a special meeting of the Planning and Development Committee be held prior to the next City Council meeting regarding a request for demolition of buildings at 207-213 King Street East. Staff is to bring information relevant to this to the meeting.
- (iii) Upon the request of Alderman Wilson Building Division Staff was directed to review the proposed use of 56 Kenilworth Avenue North as a used car lot and the application of the by-laws regarding site plan.

Note: The meeting of the Planning and Development Committee adjourned at 11:20 a.m.

**Alderman F. D'Amico, Chairperson
Planning and Development Committee**

**Tina Agnello, Legislative Assistant
May 3, 2000**

Appendix "A" referred to in Section 1 of Report 09-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 3, 2000.



Site of the Application

City of Hamilton

COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map

Legend

Change in Zoning from:

"G-3" (Public Parking Lots) District to
"D" (Urban Protected Residential -One and
Two Family Dwellings, etc.) District, modified.

Reference file:
CI-00-B

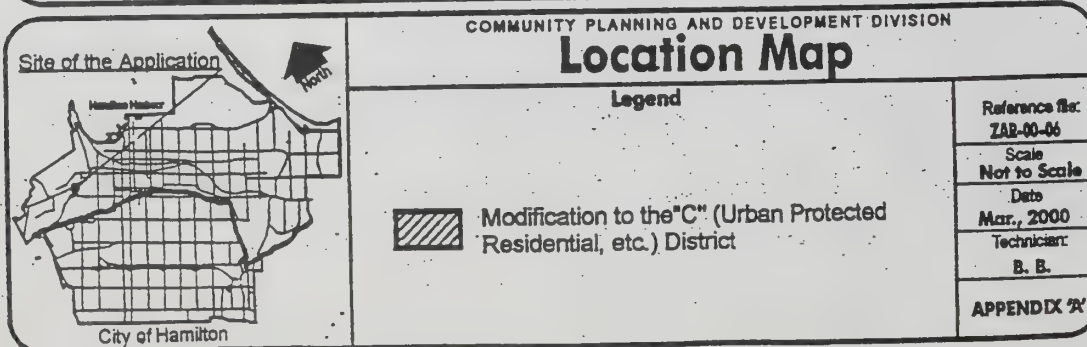
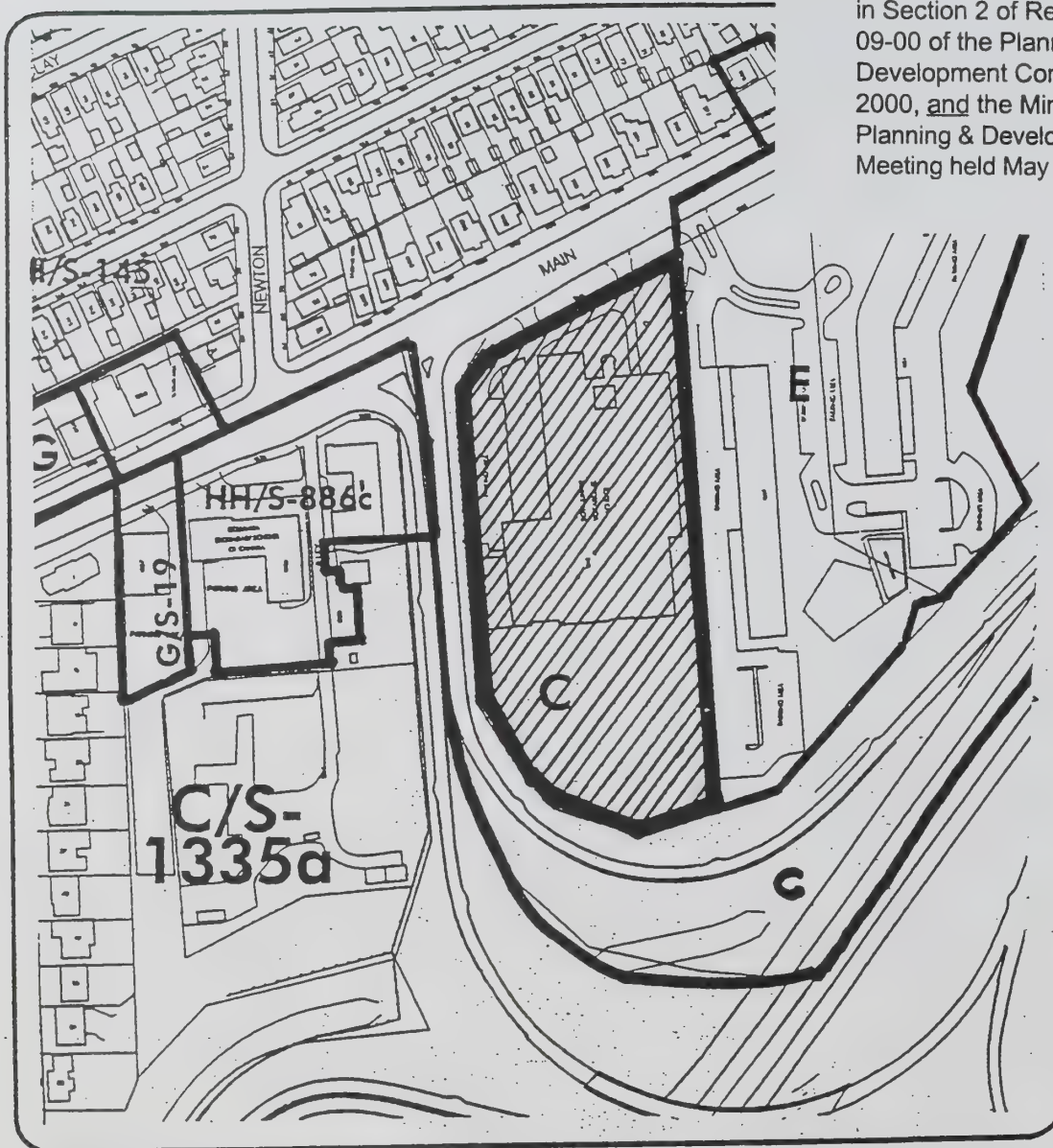
Scale:
Not to Scale

Date:
Mar., 2000

Technician:
B. B.

APPENDIX 'A'

Appendix "B" referred to in Section 2 of Report 09-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 3, 2000.



King Street West Business Improvement Area (B.I.)
Proposed Budget and Schedule of Payment for 2000

Appendix "C" referred to
in Section 6 of Report
09-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held May 3, 2000.

**KING STREET WEST
BUSINESS IMPROVEMENT AREA'S**

2000 BUDGET

Insurance \$ 810.00

Audit \$ 400.00

Contingency fund \$ 280.00

Plus: Administration,
Advertising/promotion,
Special events,
Christmas Decorations,
Meeting expenses,
Office supplies, postage, \$1310.00

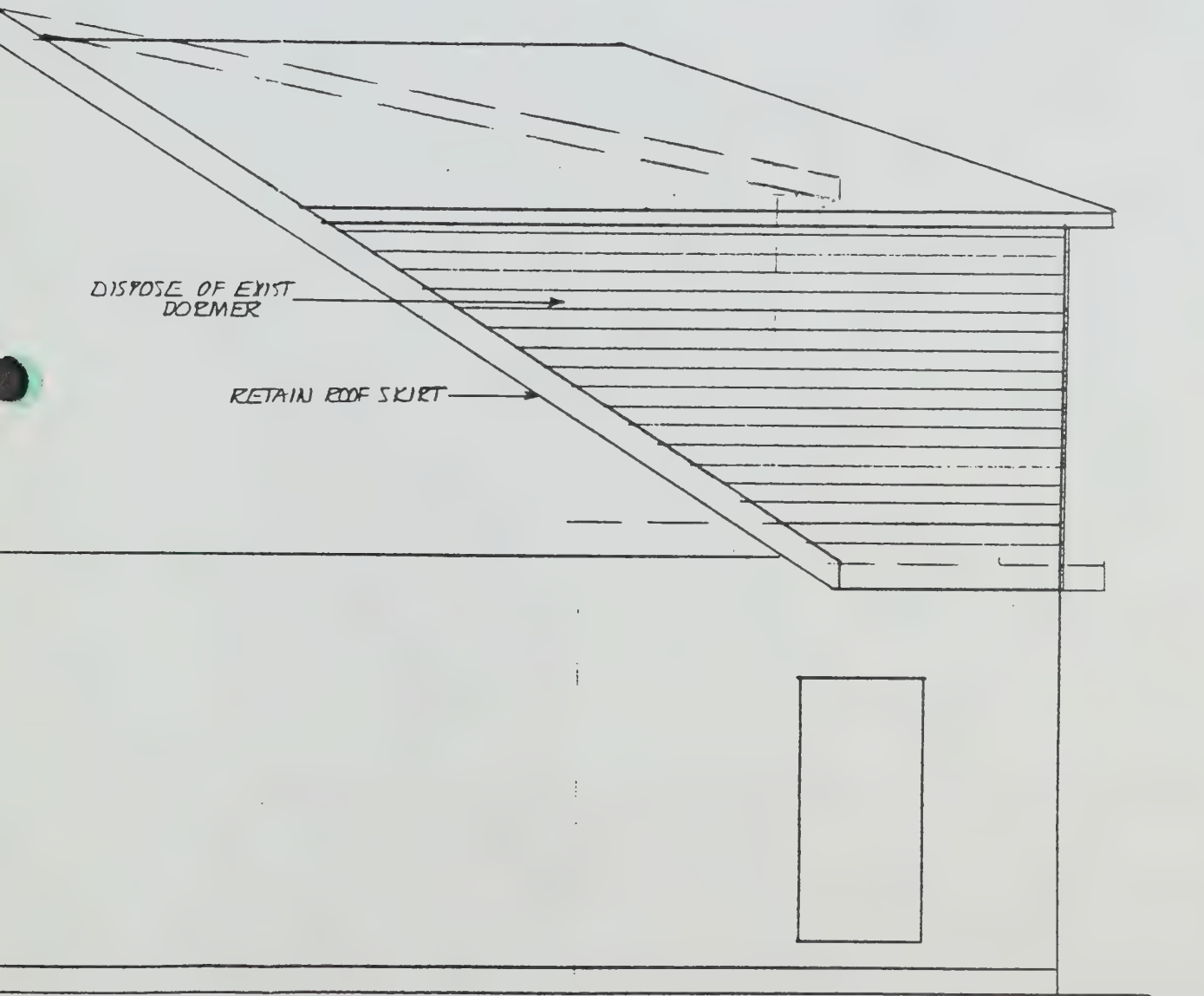
TOTAL BUDGET \$2800.00

Appendix "D" referred to
in Section 10 of Report
09-00 of the Planning &
Development Committee for
2000, and the Minutes of the
Planning & Development Committee
Meeting held May 3, 2000.



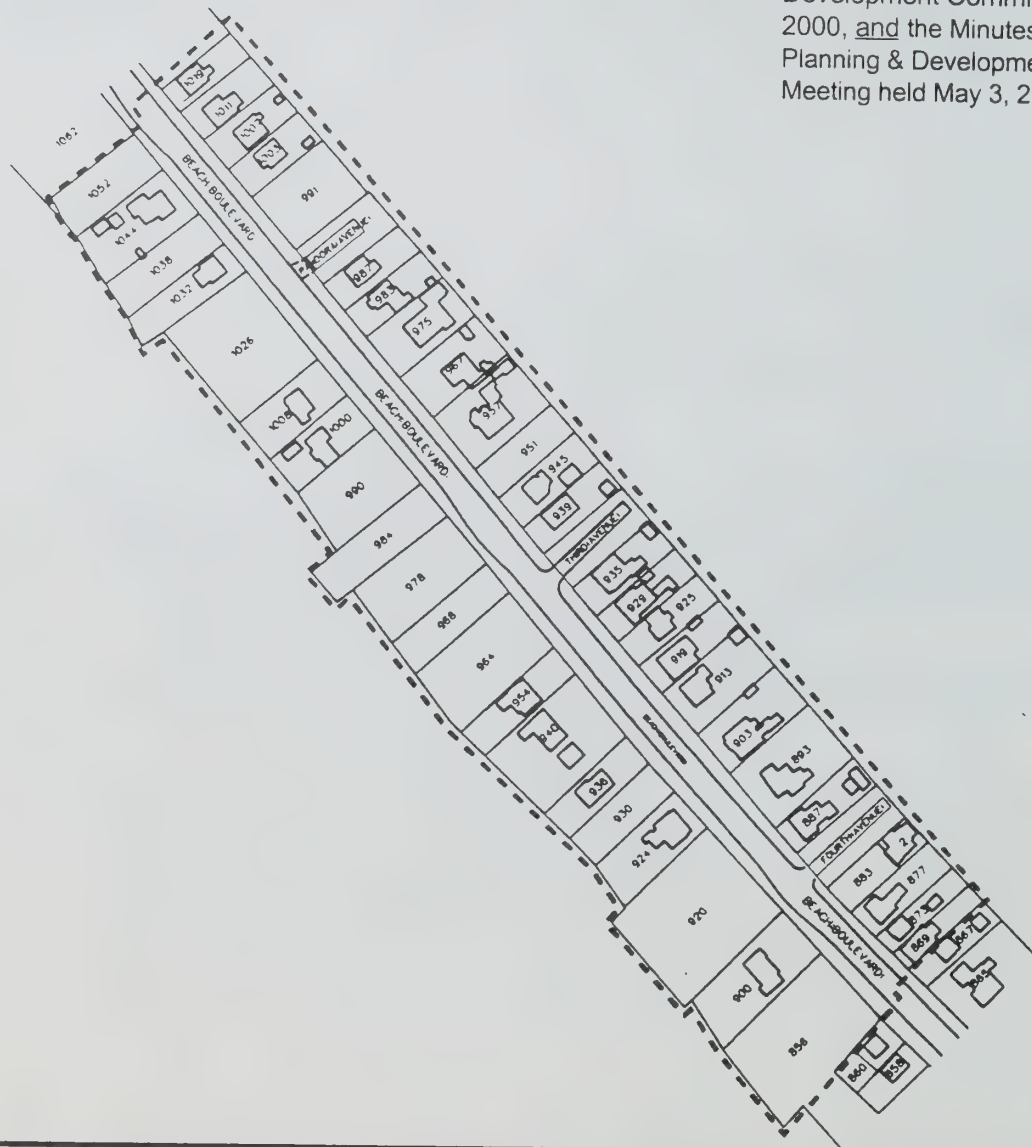
REAR ELEVATION

REAR ELEVATION

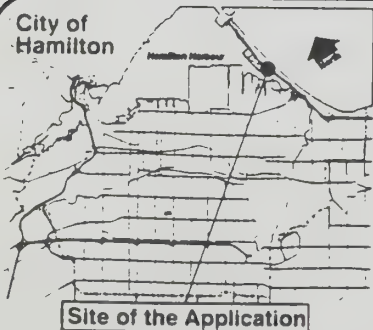


SIDE ELEVATION

Appendix "E" referred to in Section 11 of Report 09-00 of the Planning & Development Committee for 2000, and the Minutes of the Planning & Development Committee Meeting held May 3, 2000.



City of
Hamilton



COMMUNITY PLANNING AND DEVELOPMENT DIVISION

Location Map



Site of Application
(Hamilton Beach Area)

Reference file:
P5-2-60

Scale
Not to Scale

Date
April, 2000

Technician:
JS

APPENDIX 'A'

FINANCE & ADMINISTRATION
COMMITTEE



REPORT

CITY OF HAMILTON FINANCE AND ADMINISTRATION COMMITTEE

Tuesday, May 2, 2000

9:30 a.m.

Council Chambers, Hamilton City Hall
71 Main Street West, Hamilton

Present:	City Finance and Administration Committee Alderman D. Wilson (Chairman), Alderman D. O'Sullivan (Vice-Chairman), Aldermen M. Caplan, A. Horwath, D. Haining, C. Collins, B. Charters, B. Kelly
Regrets:	Mayor R. Morrow – City Business Region Finance and Administrative Services Committee Councillor B. Charters, Chairman, Councillor G. Etherington, Vice-Chairman, Councillors D. O'Sullivan, R. Powers, M. Caplan, A. Sloat, B. Kelly, F. D'Amico, A. Bain
Regrets:	Alderman M. Kiss – personal business
Also present:	Aldermen R. Corsini, B. Morelli, F. Eisenberger, J. Bruzzese, A. Ross, L. Bourns, R. Fair, A. Zuidema, B. Desnoyers, H. Kayal, T. Whitehead, R. Male, S. Reeder
Alderman D. Wilson, Chairman called the meeting to order.	

THE FINANCE AND ADMINISTRATION COMMITTEE PRESENTS REPORT 11-00 AND RESPECTFULLY RECOMMENDS:

1. **Purchase of Engine Exhaust Extraction Equipment - City of Hamilton Fire Stations (CSC00081) (Item 11)**
 - (a) That a purchase order be issued to Nederman Canada Limited, Mississauga, for the purchase and installation of Exhaust Extraction Equipment in an amount not to exceed \$237,540 inclusive of all applicable taxes, PST exempt; and,

- (b) That the General Manager of Community Services be authorized to expend up to \$20,000 in project contingency to resolve unforeseen site conditions, if required; and,
- (c) That the Mayor and the Acting Municipal Clerk be authorized and directed to execute the necessary contract for this purchase in a form satisfactory to Corporate Counsel.

2. Authorization to investigate various financing options, including issuing Request for Proposals, to obtain financing for the Multi-pad Arena and Sports Complex Project (CSC00066) (Item 12)

- (a) That staff be authorized to investigate financing options, including issuing Request for Proposals to obtain financing for the development and construction of the Multi-pad Arena and Sports Complex with a view to finding the most advantageous source of funds; and,
- (b) That staff report back on the results within the context of the report on the final negotiations with the preferred proponent, Arena Corp/JBK Development.

3. Hamilton Municipal Retirement Fund Changes (FIN00056) (Item 13)

- (a) That the Hamilton Municipal Retirement Fund plan be amended to reflect a 66 2/3% spousal benefit for post 1981 retired fire fighters and surviving spouses; and,
- (b) That pensioners who have elected a spousal benefit of at least 60% at retirement or as a result of a re-election have their benefit increased to 66 2/3% effective June 1, 2000; and,
- (c) That any remaining spousal benefits under payment of at least 60% are increased to 66 2/3%.

4. Hamilton Municipal Retirement Fund Pension Equity with OMERS (FIN00055) (Item 14)

That guaranteed pension indexing within the Hamilton Municipal Retirement Fund commence January 1, 2000 as follows:

- (a) The guaranteed inflation increase will be 100% of the Consumer Price Index (CPI) up to a maximum guaranteed increase in any year of 6%; and,

- (b) An additional ad hoc "top up" increase may be granted to coincide with OMERS "top up" increase by the H.M.R.F. if the H.M.R.F. Plan surplus allows any rise in the CPI greater than 6%, the excess will be carried forward to future years until it can be applied; and,
- (c) Pensions under payment will receive the greater of the percentage increase or the increase calculated under the service method (\$1 x the number of years service (to a maximum of 35) x the number of years on pension); and,
- (d) The increase is effective January 1 each year.

5. Taxi Plate Transfer upon death of Plate Owner (Item 15)

That the Licensing By-law 98-203, as amended, Schedule 4, respecting Taxicabs be amended to provide that on the death of a taxicab owner, the plate or licence sticker shall be returned to the licensing section and after filing documentation sufficient to prove that the licence is an asset of the estate, the licence may be transferred to the estate of the deceased taxicab owner and may be held in the name of the estate until disposition to a person qualified under this By-law:

- (a) That the following must be filed to effect transfer of an owner's licence to the estate:
 - (i) Proof that the person disposing of the property has legal status to make the transfer; and,
 - (ii) Proof of insurance in the name of the estate; and,
 - (iii) Proof of ownership of vehicle in the name of the estate; and,
- (b) That the transfer of the licence to the estate of the deceased can only be held for one year and if not disposed in that time period, it shall be revoked by Council.

6. Cafeteria/Food Services at Hamilton City Hall (FAC00003) (Item 16)

- (a) That the City of Hamilton exercise its final option to renew the Lease Agreement with Carmen's Catering Ltd. for the provision of Cafeteria/Food Services at City Hall for a term of one (1) year from April 6, 2000 to April 6, 2001 with an option to extend the agreement for an additional year to expire April 6, 2002 if so decided by the City on the following terms and conditions:

- (i) That the business and realty taxes be reassessed by the Ontario Property Assessment Corporation based on the square footage of space that Carmen's is exclusively using (kitchen/counter area); and,
- (ii) Royalties (5% of gross sales) be excluded from the terms and conditions of this Agreement; and,
- (b) That the Director of Facilities Management report back to the Finance and Administration Committee on alternative Food Services for the "New" City of Hamilton, City Hall; and,
- (c) That the Mayor and the Acting Municipal Clerk be authorized and directed to execute an Agreement with Carmen's Catering Ltd. in a form satisfactory to Corporate Counsel; and,
- (d) That this report be forwarded to the Transition Board for their approval.

7. Message of Support - Kinsmen Kinette Publication (Item 18.1)

- (a) That the City provide a message of support for the Kinsmen Kinette Publication at a cost of \$250; and,
- (b) That funding for this expenditure be charged to the COHAM-55401-345400.

8. Grant - First Unitarian Church, 170 Dundurn Street South - Outstanding 1998 taxation year

- (a) That the City provide a grant to the First Unitarian Church of Hamilton, in the amount of \$2,430 for payment of the City's portion of outstanding taxes on the property at 170 Dundurn Street South for the 1998 year; and,
- (b) That this be funded from Contingency Reserve COHAM 104015; and,
- (c) That the Region and the School Boards be requested to provide the same grant funding for their portion of the outstanding 1998 taxes.

9. Bill

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-023 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

FOR THE INFORMATION OF CITY COUNCIL:

(a) **Declarations of Interest** (Item 1)

None declared.

(b) **Adoption of Minutes - April 18, 2000** (Item 6)

The Minutes of the meeting of the Joint Meeting session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee held on Tuesday, April 18, 2000, were adopted.

(c) **Information Items Listing** (Item 7)

The Committee approved the receipt of the following information items:

- (i) Resolution – Township of Glanbrook, Animal Control Services for the New City of Hamilton
- (ii) Resolution - Township of Glanbrook - Agricultural Sub-Committee of the New City of Hamilton
- (iii) Acting City Manager - Information Report - Transition Board Secondments (CM0014)
- (iv) General Manager, Finance - Information Report - Conference, Travel Report (FIN000051)

(d) **Delegation – Hamilton Professional Firefighters Association – New Medical Response Protocol for the Fire Department** (Item 10)

The Committee received a delegation from the H.P.F.A. Copies of their presentation dated May 2, 2000 were circulated. Copies of a report from the General Manager, Community Services (CSC00082) were circulated.

The Committee agreed to table this matter until the June 6th meeting and directed that the General Manager, Community Services and Fire Chief report back to that meeting with an analysis of the statistics on the tiered response.

(e) Financing – Rennie Street Closed Landfill (FIN00059) (New Business #1)

The Committee was in receipt of the above-noted matter and agreed to forward this matter to the Special meeting of City Council scheduled for May 2, 2000 to consider the main issue respecting the Rennie Street Closed Landfill.

Note: The meeting of the Joint Meeting Session of the Region Finance and Administrative Services Committee and the City Finance and Administration Committee adjourned at 11:45 a.m.

**Alderman D. Wilson, Chairman
City Finance and Administration Committee**

**Susan K. Reeder, Legislative Assistant
May 2, 2000**

L I C E N S I N G C O M M I T T E E



REPORT

CITY OF HAMILTON LICENSING COMMITTEE

Wednesday, April 26, 2000
6:00 p.m.
Room 233, Hamilton City Hall
71 Main Street West, Hamilton

Present: Alderman F. Eisenberger (Chairperson), Alderman B. Kelly, (Vice Chairperson), N. Mleczko, D. Drury

Regrets: Alderman D. Haining – City Business

Also Present: Alderman A. Horwath, D. Rose, D. Beck, S. Glover

Alderman F. Eisenberger, Chairperson, called the meeting to order.

THE CITY OF HAMILTON LICENSING COMMITTEE PRESENTS REPORT 04-00 AND RESPECTFULLY RECOMMENDS:

1. Syndicate Nightclub (PDC00049(B)) (Item 3)

That the hours of operation for the Syndicate Nightclub be permanently restricted to a 2.45 a.m. closing.

2. Lanna Lusigne – Taxi Cab Driver Licence (Item 5)

That the Taxi Cab Driver Licence application of Lanna Lusigne be granted subject to Ms. Lusigne submitting an updated driving abstract to the Issuer of Licences on February 9, 2001.

FOR THE INFORMATION OF CITY COUNCIL:

(a) Declarations of Interest (Item 1)

None declared.

(b) Adoption of Minutes – March 29, 2000 (Item 2)

That the Minutes of the meeting of the City of Hamilton Licensing Committee held on March 29, 2000 be adopted.

(c) Syndicate Nightclub (PDC00049(B)) (Item 3)

The Committee was in receipt of a three monthly staff report, which it had requested at its meeting of January 13, with regard to the above noted premises. Verbal reports were also received from Ald. Andrea Horwath and representatives of Hamilton Wentworth Regional Police, and it was noted that a noise complaint had been received on April 17.

The Committee was in receipt of a letter from Mr. Roger Yachetti, lawyer on behalf of the licence holder, requesting that the 2.45 a.m. closing time imposed by the Committee be lifted. Mr. Dave Varghese, an employee of the Syndicate, attended and read a written statement on behalf of his employer in support of the request.

The Committee noted that the licensee will not be pursuing a zoning change which would permit a public hall use and instead wishes to continue operating under the existing restaurant licence which restricts the area of dance floor to 5% (or 300 sq.ft. of the total restaurant area).

After consideration the Committee stated that, although it was encouraged that the applicant had taken steps to comply with the by-law, it supported the staff recommendation that the Syndicate Nightclub be permanently restricted to a 2:45 a.m. closing. This permanent restriction will become a condition of the licence and be added to those conditions already imposed at the Licensing Committee of January 13 and adopted by City Council on January 25, 2000.

(d) **Request for Reinstatement on Taxi Priority List – Joe Kunina** (Item 4)

This matter was tabled at the request of the applicant who was unable to be in attendance

(e) **Show Cause Hearing – Taxi Driver Licence – Lanna Lusignea** (Item 5)

The Licensing Committee met in camera to hold a Show Cause Hearing with regard to the above noted licence.

Confidential background material pertaining to this matter was circulated to Members of Council under separate cover.

(f) **Other Business** (Item 6)

None

Note: The meeting of the City of Hamilton Licensing Committee adjourned at 6:45 p.m.

**Alderman Fred Eisenberger, Chairperson
City of Hamilton Licensing Committee**

**Stella Glover, Legislative Assistant,
April 26, 2000**



BILLS
CITY OF HAMILTON
CITY COUNCIL
Tuesday, May 09, 2000

- A-026 A By-law being a By-law to Amend By-law No. 89-072 to Regulate Traffic.
- A-027 A By-law being a By-law to Amend By-law No. 89-072 to Regulate Traffic.
- C-016 A By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 1389 Upper James Street.
- C-017 A By-law to Amend Zoning By-law No. 6593 respecting lands located south of Royalvista Drive and west of Upper Gage Avenue.
- C-018 A By-law to Amend Zoning By-law No. 6593 respecting lands located west of James Street north, East of Bay Street North and south of the C.N. Railway Line
- C-019 A By-law to Amend Zoning By-law No. 6593 respecting lands located at the north-west corner of Upper James Street and Limeridge Road West (formerly known as municipal no. 1078 Upper James Street)
- C-020 A By-law to define as Heritage Conservation District the area of the Hamilton Beach Neighbourhood comprised of 869 to 1019 Beach Boulevard (east side) and 856 to 1052 Beach Boulevard (west side)
- C-021 A By-law to remove land within the "Woodland Meadows" Subdivision, Plan 62M-899 from Part Lot Control
- D-023 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Picton	North	commencing 100 feet west of Ferguson and extending 20 feet westerly therefrom	Anytime
East	East	commencing 119 feet north of King William and extending 18 feet northerly therefrom	Anytime
Shaw	North	commencing 316 feet east of Victoria and extending 20 feet easterly therefrom	Anytime
Avondale	East	commencing 246 feet north of Beechwood and extending 20 feet northerly therefrom	Anytime
Avondale	East	commencing 285 feet north of Beechwood and extending 18 feet northerly therefrom	Anytime
Avondale	West	commencing 241 feet north of Beechwood and extending 21 feet northerly therefrom	Anytime
Avondale	West	commencing 279 feet north of Beechwood and extending 19 feet northerly therefrom	Anytime
Case	North	commencing 181 feet east of Barnesdale and extending 20 feet easterly therefrom	Anytime"

2. In all other respects By-law 89-72 and all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 9th day of May, 2000.

ACTING MUNICIPAL CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 00-

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Acadia	Eastbound and Westbound	Mapleridge
Pinewarbler	Northbound and Southbound	Skylark
Skylark	Northbound and Southbound	Jay"

2. That **Schedule 29 (No Stopping Areas - No Stopping Anytime)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Ninth	South commencing 48 feet east of Fernwood and extending to a point 89 feet west of Fernwood	Anytime"
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and by deleting therefrom the following item, namely:-

"Ninth	South from a point 48 feet west of Fernwood to a point 42 feet west of Fernwood	Anytime"
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3. That **Schedule 35 (Wheelchair Loading Zones)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

"Monterey	South 25 feet	51 feet east of Garside	Anytime"
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deleting therefrom the following item, namely:-

"East 23rd	West 19 feet	162 feet north of Queensdale	Anytime"
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4. In all other respects, By-law 89-72 and all Schedules thereto, as amended, is hereby confirmed unchanged.
5. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED this 9th day of May, 2000.

ACTING MUNICIPAL CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 00-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1389 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "**C**" (Urban Protected Residential, etc.) District to "**HH**" (Restricted Community Shopping and Commercial) District, the land comprised in Block "1"; and,
- (b) by changing from "**AA**" (Agricultural) District to "**HH**" (Restricted Community Shopping and Commercial) District, the land comprised in Block "2",

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. The "**HH**" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A. of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A. (3)(a) of Zoning By-law No. 6593, a front yard of not less than 24.0 metres in depth shall be provided and maintained; and,
- (b) notwithstanding Section 18A. (9) of Zoning By-law No. 6593, the required manoeuvring for parking and loading spaces may be provided and maintained off-site; and,
- (c) a minimum 3.0 metre wide landscaped area shall be provided and maintained along the entire westerly lot line, except for any area used for driveway access; and

- (d) a planting strip not less than 3.0 metres in width, and a visual barrier not less than 1.8 metres in height and not greater than 2.0 metres in height shall be provided and maintained along the entire easterly rear lot line.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1439.

5. Sheet No. E-9C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1439.

6. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of

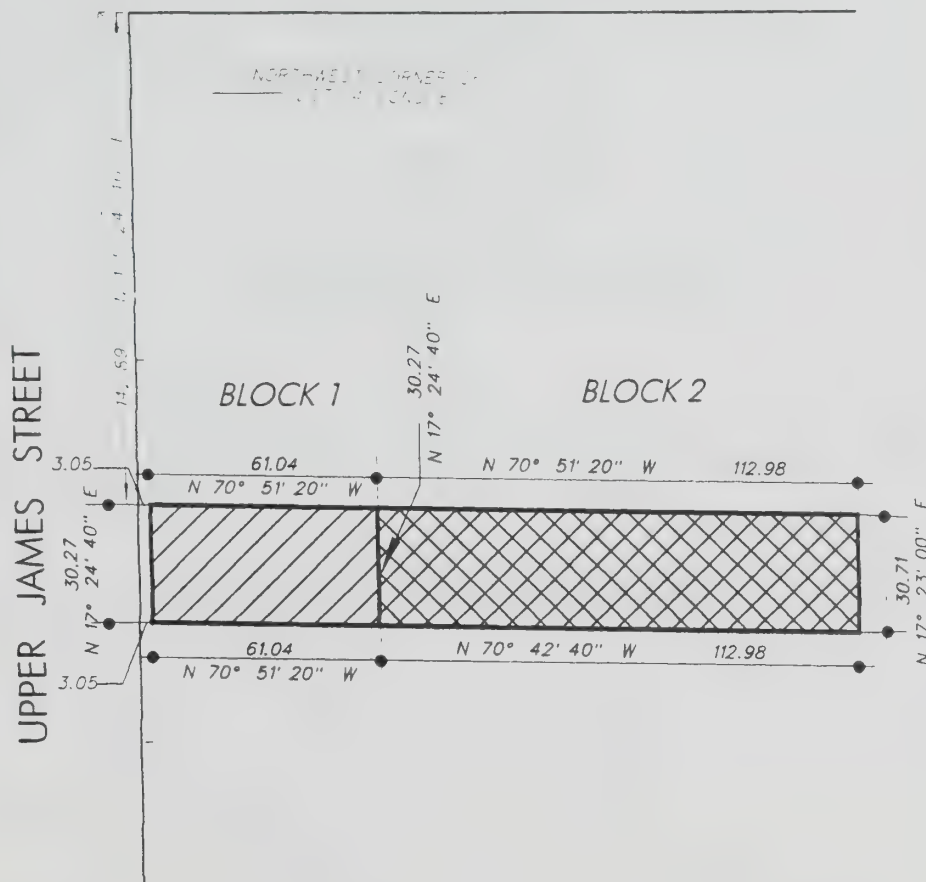
A.D. 2000

ACTING MUNICIPAL CLERK

MAYOR

(2000) 04-00 R.P.D.C. 2, February 29
J & A Riccio Developments Inc., Prospective Owner
ZAC-99-40

STONE CHURCH ROAD EAST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 00
Passed the day of, 00.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 00-____

to Amend By-Law No. 6593

Community Planning and Development Division

Legend

Change in zoning from:

BLOCK 1



"C" (Urban Protected Residential, etc.) District
to "HH" (Restricted Community Shopping
and Commercial) District, modified

BLOCK 2



"AA" (Agricultural) District to
"HH" (Restricted Community Shopping
and Commercial) District, modified

North



Scale

NOT TO SCALE

Date

March, 2000

Reference File No

ZAC-99-40

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 00-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED SOUTH OF ROYALVISTA DRIVE
AND WEST OF UPPER GAGE AVENUE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "**D**" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, modified, to "**R-4**" (Small Lot Single Family Dwelling) District, the land comprised in Block "1"; and,
- (b) by changing from "**L-c**" (Planned Development - Commercial) District, modified, to "**R-4**" (Small Lot Single Family Dwelling) District, the land comprised in Block "2"; and,
- (c) by changing from "**L-c**" (Planned Development - Commercial) District, modified, to "**C**" – "**H**" (Urban Protected Residential, etc. – Holding) District, the land comprised in Block "3"; and,
- (d) by changing from "**D**" (Urban Protected Residential – One and Two Family Dwellings, etc.) District, modified, to "**C**" – "**H**" (Urban Protected Residential, etc. – Holding) District, the land comprised in Block "4"; and,
- (e) by changing from "**G**" (Neighbourhood Shopping Centre, etc.) District, modified, to "**C**" – "**H**" (Urban Protected Residential, etc. – Holding) District, the land comprised in Block "5",

the extent and boundaries of each of which Blocks "1", "2", "3", "4" and "5" are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the lands comprised in Blocks "3", "4" and "5" shall be removed conditional upon,

- (i) the lands shown as Blocks "3", "4" and "5" being assembled for the purpose of orderly development to the satisfaction of the Director, Land Development Department, Community Planning and Development Division; and,
- (ii) the applicant/owner applying for and receiving draft plan approval by the Region of Hamilton-Wentworth of a Plan of Subdivision.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands comprised in Blocks "3", "4" and "5" may at such time proceed in accordance with the "C" District provisions.

3. The Acting Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this

day of

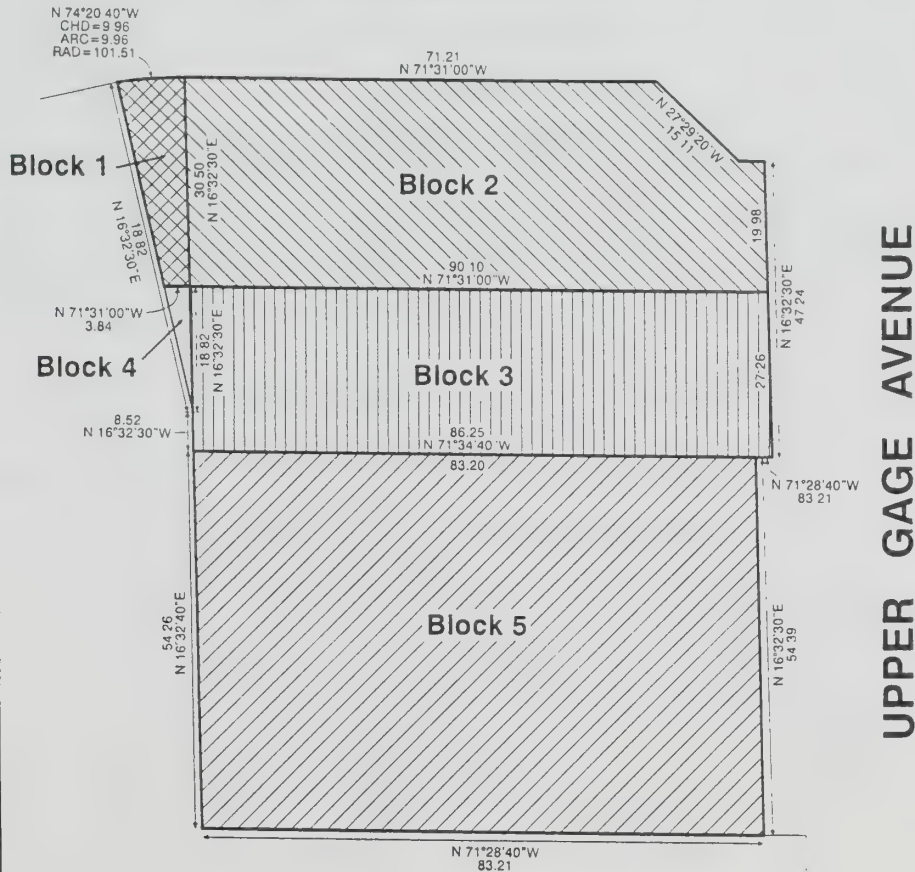
A.D. 2000

ACTING MUNICIPAL CLERK

MAYOR

(2000) 04-00 R.P.D.C. 1.B., February 29
A. Nesci and 683595 Ontario Inc., Owners
ZAC-99-39

Royalvista Drive



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No.
Passed the day of, 2000.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No.

Community Planning and Development Division

Legend

Blocks

- | | |
|--|---|
| | from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, modified to "R-4" (Small Lot Single Family Dwelling) District |
| | from "L-c" (Planned Development) District, modified to "R-4" (Small Lot Single Family Dwelling) District |
| | from "L-c" (Planned Development) District, modified to "C"-H" (Urban Protected Residential, etc. - Holding) District |
| | from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, modified to "C"-H" (Urban Protected Residential, etc. - Holding) District |
| | from "G" (Neighbourhood Shopping Centre, etc.) District, modified to "C"-H" (Urban Protected Residential, etc. - Holding) District |

North



Scale
Not to Scale
Date
April 2000

Reference File No
ZAC-99-39
Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 00-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED WEST OF JAMES STREET NORTH,
EAST OF BAY STREET NORTH AND SOUTH OF THE C.N. RAILWAY LINE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-3 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "H" (Community Shopping and Commercial, etc.) District to "G-3 - 'H'" (Public Parking Lots - Holding) District, the land comprised in Block "1"; and,
- (b) by changing from "J" (Light and Limited Heavy Industry, etc.) District to "G-3" - 'H' (Public Parking Lots - Holding) District, the land comprised in Block "2",

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the lands comprised in Blocks "1" and "2" shall be removed conditional upon the applicant/owner applying for and receiving approval of a Site Plan Control application from the City of Hamilton.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands comprised in Blocks "1" and "2" may at such time proceed in accordance with the "G-3" District provisions.

3. The Acting Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

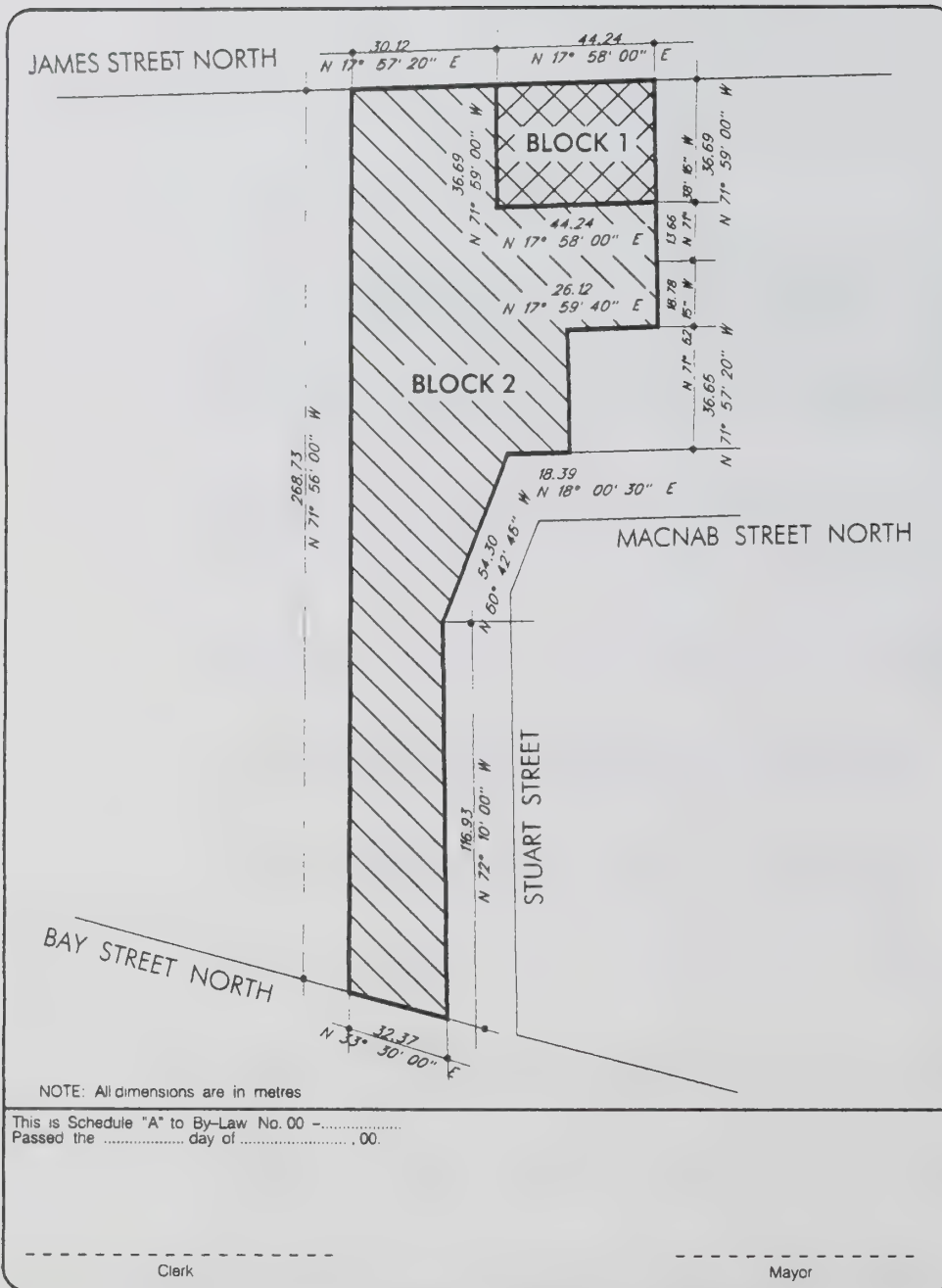
PASSED this day of

A.D. 2000

ACTING MUNICIPAL CLERK

MAYOR

(1999) 13 R.P.D.C. 2, June 29
Canadian National Railway, Owner
ZAC-99-10



City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 00-_____
 to Amend By-Law No. 6593

Community Planning and Development Division

Legend

Change in zoning from:

BLOCK 1
 "J" (Light and Limited Heavy Industry, etc.) District
 to "G-3"-H' (Public Parking Lots-Holding) District

BLOCK 2
 "H" (Community Shopping and Commercial, etc.)
 District to "G-3"-H' (Public Parking Lots-Holding) District

	Scale	Reference File No.
	NOT TO SCALE	ZAC-99-10
	Date	Drawn By
	APRIL, 2000	B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 00-

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT THE NORTH-WEST CORNER OF
UPPER JAMES STREET AND LIMERIDGE ROAD WEST
(FORMERLY KNOWN AS MUNICIPAL NO. 1078 UPPER JAMES STREET)**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the special conditions relating to this rezoning, referred to in Section 1.(b) of the 15th Report of the Planning and Development Committee adopted by City Council on August 11, 1999, have been satisfied;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9A of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "**HH**" (Restricted Community Shopping and Commercial) District to "**C**" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "**C**" (Urban Protected Residential, etc.) District provisions, as contained in Section 9. of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

- (a) access to the subject lands shall only be provided from Limeridge Road West.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "**C**" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1430.

5. Sheet No. W-9A of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1430.

6. The Acting Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this day of

A.D. 2000

ACTING MUNICIPAL CLERK

MAYOR

(1999) 15 R.P.D.C.1, August 11
Mark Pillinini, Owner
ZAR-99-16

Upper James Street



South East Corner of Lot 75
Reg Comp'd Plan 1489

Limeridge Road West

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 00-.....
Passed the day of, 2000

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 00

Planning and Development Department

Legend

Change in zoning:



from "HH" (Restricted Community Shopping
and Commercial) District to "C" (Urban
Protected Residential, etc.) District

North



Scale
Not to Scale

Date
SEPT 1999

Reference File No.
ZAR-99-16

Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 00 —

To Define:

**AS A HERITAGE CONSERVATION DISTRICT
THE AREA OF THE HAMILTON BEACH NEIGHBOURHOOD
COMPRISED OF 869 TO 1019 BEACH BOULEVARD (EAST SIDE)
AND 856 TO 1052 BEACH BOULEVARD (WEST SIDE)**

WHEREAS subsections 1 and 2 of Section 40 of the Ontario Heritage Act, (R.S.O. 1990, Chapter O.18) provides as follows:

- (1) The council of a municipality may by by-law define the municipality or one or more areas thereof as an area to be examined for future designation as a heritage conservation district and the council may, after such examination is completed, prepare official plan provisions with respect to such designation.
- (2) Where the council of a municipality has established a local advisory committee under section 28, such council shall, before passing a by-law to define the municipality or one or more areas as an area to be examined for future designation as a heritage conservation district under subsection (1), consult with its local advisory committee;

AND WHEREAS the Council of the Corporation of the City of Hamilton has established a Local Architectural Conservation Advisory Committee;

AND WHEREAS the said Council has consulted with its Local Architectural Conservation Advisory Committee.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The area more particularly shown on Schedule "A" hereto annexed and forming part of this by-law, is hereby defined as an area to be examined for future designation as a heritage conservation district.

PASSED this th day of

A.D. 2000.

City Clerk

Mayor

(2000) th R.P.D.C. , May
P5-2-60

The Corporation of the City of Hamilton

BY-LAW No. 00 —

To Remove
Land within the "Woodland Meadows" Subdivision, Plan 62M-899
from Part Lot Control

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the Council of The Regional Municipality of Hamilton-Wentworth pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of adjusting lot lines shall not apply to the following lands:

Lots 26 - 32, inclusive and Lots 33 - 39, inclusive, Registered Plan Number 62M-899, in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.

2. (a) This by-law shall come into force and effect on the date of its approval by Council of The Regional Municipality of Hamilton-Wentworth.
- (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
- (c) This By-law shall expire on May 1, 2001.

PASSED this day of

A.D. 2000.

Municipal Clerk

Mayor

BY-LAW NO. 00 - 0

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 9th DAY OF MAY, 2000.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Acting Municipal Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 9th day of MAY

A.D. 2000

ACTING MUNICIPAL CLERK

MAYOR

100-100-100

100-100-100

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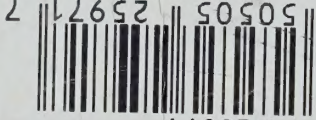
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